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## HCDA 1994 PRESS CUTTINGS

### **INDEX**

Abbott, Diane (MP): 33,  
Advance Party: 41,  
Association of Chif Police Officers (ACPO): 1, 6, 15, 31, 38,  
"Back to Basics": 3,  
Bar Council: 2, 11,  
Bennet, Mike: 26, 35,  
Blair, Tony (MP): 2, 7,  
British National Party: 4,  
Bruno-Gilbert, Hazel: 19, 22, 33,  
Callaghan, Lord James: 8, 10,  
Car crime: 2,  
Carr, Lord: 7-8, 10, 16,  
Community Service: 2,  
Computers: 1, 41,  
Conservative Party Conference (1993): 29,  
Cornelius, Colin: 5,  
Corruption: 5,  
Court of Appeal: 11,  
Crime prevention: 30,  
Crime statistics: 2, 12,  
Criminal Justice Bill: 4, 10, 15-16, 38, 40, 41,  
Criminal justice sytsem: 2-3,  
Criminal Intelligence Branch: 1,  
Crown Prosecution Service: 11, 17-28,  
Deaths in custody: 41,  
Director of Public Prosecutions: 11, 14, 17-28, 39,  
Directorate of Intelligence: 1,  
Disclosure: 10,  
Drugs: 36,  
Fabian Society: 1,  
Faulkner, David: 2-3,  
Gardner, Joy: 4,  
Gifford, Lord Tony QC: 41,  
Gill, Tarlochan Singh: 11,  
Guildford 4: 41,

Hackney Community Defence Association: 14, 17-28, 32-4,  
Hackney Council: 5, 30,  
Hall, Peter: 14,  
Harrison, Audley: 19, 22, 33,  
Hill, Paul: 41,  
Home Office: 2-3,  
Home Secretary (see Howard, Michael (MP)).  
Homosexuality: 4,  
House of Lords: 6-10, 14, 37, 40,  
Howard, Michael (MP): 2-3, 6-10, 14, 15-16, 29, 31, 36, 37-8, 40, 41,  
Judicial inquiry into policing in Hackney call: 14, 17-28, 32-4,  
Judicial reviews: 39,  
Kennedy, Malcolm: 41,  
King, Rodney: 31,  
Kurdish community: 30,  
Law and Order: 2, 29,  
Law Society: 2,  
Liberty: 2, 41,  
Lord Chief Justice Taylor: 7-8, 10,  
Lord Lieutenants: 9-10, 15,  
Magistrates: 16, 36,  
Mills, Barbara (see Director of Public Prosecutions).  
Miscarriages of justice: 11, 41,  
Oderinde, Ida: 19, 22,  
Operation Jackpot: 4, 14, 17-28, 30, 32-5,  
Police authorities: 6-10, 15-16, 37,  
Police and Magistrates Courts Bill: 4, 6-10, 15-16, 31, 37, 38, 40,  
Police complaints (including Police Complaints Authority): 11, 14, 17-28, 30,  
32-5,  
Police disciplinary procedure: 40,  
Police Federation: 1, 6-7, 11, 13, 26, 35,  
Police force mergers: 38,

### **Police officers**

PC Chitty, Terence: 14,  
PC Dunn, Patrick: 4,  
PC Galbraith, Bruce: 14,  
PC Giles, Paul: 41,  
PC Hambly, John: 11,  
WPC Locker, Sarah: 4,  
PC Wilson, martin: 14,  
DC Lewandowski, Roy: 14, 19-28,  
DC Lyons, Barry: 14,  
DC Palumbo, Roy: 14,  
PS Carroll, Gerrard (deceased): 14,  
CI Hudson, david: 14,

Supt Hines, David: 5,  
DSupt Russell, Ian (also see Operation Jackpot): 14,  
CSupt Mulvihill, Niall: 35,  
Commander Grieve, John: 1,  
Deputy Assistant Commissioner Taylor, Michael: 35,  
Deputy Commissioner Smith, Sir John: 1, 20, 22-3, 31, 32, 37,  
Commissioner Condon, Paul: 4,  
  
Police trials: 11, 39,  
Political police: 31,  
Prince, Hugh: 18,  
Prisons: 2, 15-16,  
Privatisation: 1,  
Pryce, Tony: 34,  
Racism in police: 4,  
RAC: 2,  
Release: 36,  
Right to silence: 2, 10, 13,  
Roach, Colin: 14,  
Royal Commission on Criminal Justice: 10,  
Sexism in police: 4,  
Sheehy Inquiry into police rewards and responsibilities: 4, 15-16,  
Simms, Pamela: 18,  
Single parents: 29,  
Smith, Graham: 14, 19, 23, 25, 28, 32,  
System for Intelligence and Detection (SID): 1,  
Travellers: 41,  
Tripley, Debbie: 14,  
Turkish community: 30,  
West Midlands Serious Crime Squad: 11,  
Whitelaw, William (Viscount): 7-10,  
Wilson, Bennie: 19, 22,  
Woolf, Lord: 16,

# Police chief warns of two tier system

Duncan Campbell  
Crime Correspondent

**O**NE of Britain's most senior police officers yesterday strongly attacked the "creeping privatisation" of the police service, which he warned was becoming socially divisive. The police were being diverted from important work to affluent areas in response to calls from private security guards, he said.

Sir John Smith, the Deputy Commissioner of the Metropolitan Police and the president of the Association of Chief Police Officers, told a Fabian Society conference in Ruskin College, Oxford, that "the philosophy of free market thinking may affect safety in the community".

Policing was too complex, and the society it served too diverse and fragmented for privatisation and market forces to be applicable to all its functions.

"Who in the market place would decide? Would it be the most powerful — those with the loudest voices? Would the weaker and more marginalised be left out, even though their needs are as great?"

The private sector dealing with security had had a total market size of £807 million in 1987, said Sir John, but by 1992 that figure had reached £2.1 billion. It was estimated that between 100,000 and 250,000

people were employed in the security business. This meant there were more security guards than police officers. There was no proper registration system, no real vetting of staff and no proper training.

All that was needed to be a security company was "a mobile phone, a van and a dog". This was not acceptable.

There is a creeping privatisation of traditional police functions, Sir John told the conference. All this was happening with little public debate. Sections of society that were already marginalised were becoming more marginalised and a two tier system of policing was developing. The criminal would simply move from the privately patrolled area to places that could not afford security guards.

The proliferation of security firms was stretching police resources. They were frequently being called by security patrols to more affluent areas and were obliged to answer these calls. This took them away from their other duties and could become "socially divisive".

The Police Federation, covering ranks up to inspector, has expressed similar concerns. Last night a federation spokeswoman backed Sir John and said there was worry within the service that a hiving off of police functions was taking place with no open discussion.

# Met in shift to '21st century policing'

Duncan Campbell

**A**RADICAL shift in the policing of serious crime is being undertaken by the Metropolitan Police, in which reliance on confessions will be reduced and the emphasis put on intelligence gathering, aimed at known criminals, and more use of informers.

Computer systems, including videos of suspects and tape recordings of their voices, are to be put into operation. Officers will be able to trace suspects in seconds through their nicknames, tattoos, accents, cars or even type of eyebrows.

Two new intelligence units, dealing with drug-related violence and sexual attacks, have already been formed, and a new Directorate of Intelligence is to be introduced. The role of local intelligence officers in all the Met's 69 divisions is to be upgraded so they will recommend action, not just act as collators.

If the new plans are fruitful, they could lead to a major change in the culture of investigations, shifting from reactive to proactive. However, the plans raise ethical issues on the storage of information and the thin line between proactive policing and *agents provocateurs*.

The new system, known as SID (System for Intelligence and Detection) will be headed by a Director of Intelligence who will encourage intelligence officers to adopt "dynamic, innovative and proactive initiatives" by focusing on habitual criminals and organisers of crime.

Scotland Yard's policy committee has approved most of the plans put forward by a project team under Commander John Grieve, the head of its Criminal Intelligence Branch. The moves have the backing of the Commissioner, Paul Condon.

Mr Grieve said yesterday: "It's a shift away from reliance on confessions. It means using technology and analytic skills to put the right people in court and convict them."

The change is three-pronged, the setting-up of an intelligence network to collate and analyse information on known criminals; the introduction of a computer system to make that information available to officers in less than a minute; and the development of units to deal with problems such as sexual attacks or drug-related violence.

The theory is that if all details — from style of clothing to tone of voice — are available on computer, persistent offenders will be traced more quickly. Detective Constable Eddie Thomson, who is helping to develop the computer data base, says police will, for the first time, be able to tap in the slimmest of details of a suspect and have a list of people fitting the description in less than a minute. It is seen as "21st-century" policing".

Such intensive collection of information tied to more use of informers raises ethical issues of who has access to the information and its reliability. However, every officer requesting information will be logged, so it will be possible to check who is seeking it and why.

# Howard's law and order data 'flawed'

ensit

Alex Travis  
Home Affairs Editor

**L**ABOUR last night claimed that new Home Office research undermined the claim for Michael Howard's law and order package that prison was more effective than community punishments in deterring criminals.

Tony Blair, the shadow home secretary, released Home Office statistical research which suggested that the Home Secretary's claim that prison works was based on imprecise estimates derived from small samples.

The renewed controversy over the switch in Home Office policy contained in the Criminal Justice and Public Order Bill, which received its second reading in the Commons today, came as senior members of the Law Society and the Bar Council stepped up their opposition to the abolition of suspects' and defendants' unqualified right to silence.

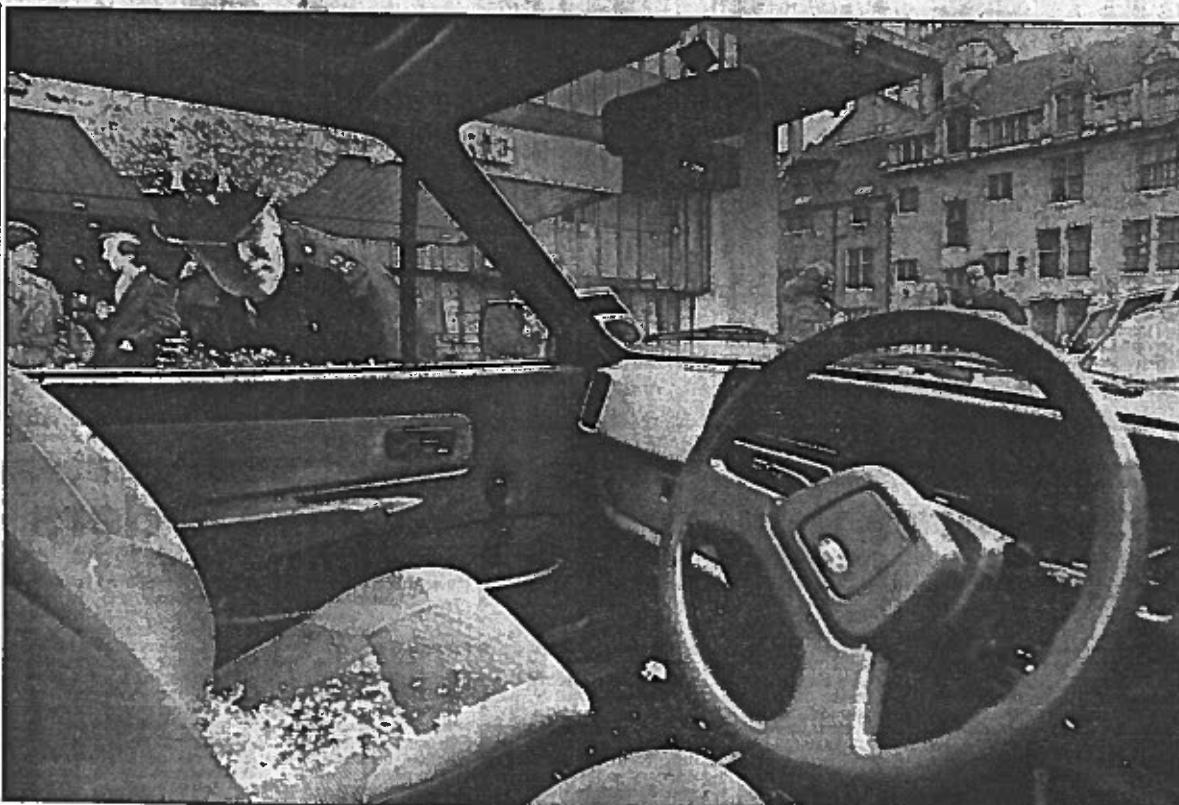
The former head of the Home Office criminal justice division, David Faulkner, yesterday warned that the "unusually wide powers" the bill would give the police to stop and search and turn people back in its public order section were "coercive". He voiced concern over the way the police and courts would operate.

Mr Faulkner said it would be sufficient to have an Ordnance Survey map and a portable phone in a car for the police to take action against a suspect.

Labour's attack centred on Mr Howard's claim that research into a sample of burglars given community service orders in 1987 suggested that had they been in prison for a year instead, between three and 13 crimes a burglar would have been prevented.

Mr Blair had been pressing Home Office ministers to publish the analysis for the past two months. The Home Office replied last week, publishing comparative figures for the reoffending rates of those burglars imprisoned and those given community service orders in 1987. Officials concluded that the comparison was problematic for several reasons, including that the number of convictions for those given community service were, for offences committed before sentencing.

The figures were also derived from samples. "The samples are small and the estimates are

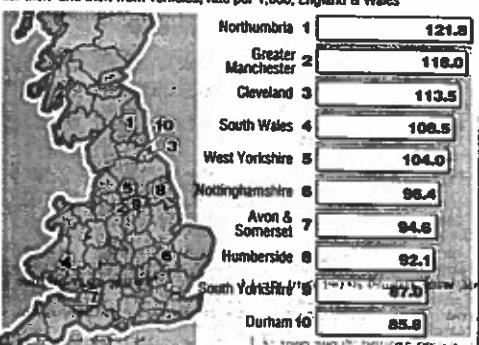


Breaking point... According to a survey by the RAC, a fifth of drivers became victims of car crime in the last year

PHOTOGRAPH: GARRY WEASEL

## Top ten county car crime

Car theft and theft from vehicles, rate per 1,000, England & Wales



thus imprecise," said the Home Office statement, which added that the table took no account of other factors, such as age and criminal history, which closely influenced reoffending rates. Mr Blair said the table showed that Mr Howard's claim was based on "adventurism of the most dubious kind. It is clear that the Home Office sta-

tistics department have the severest doubt on the validity and integrity of the statistics he is using.

But last night a Home Office spokesman said while it was true that there were problems in comparing prison and community punishments in preventing burglars reoffending,

## Reconviction rates for offenders convicted of domestic burglary

Sentence	Prison	Community Service
Number in sample	1,522	193
Reconvicted within one year	43%	50%
Reconvicted within two years	65%	68%
Number of crimes resulting in reconvictions within a year	521	122
Number of crimes resulting in reconvictions within two years	1,702	222
Proportion of reconvictions involving burglaries	36%	43%

ministers stood by their claim that prison worked in preventing burglaries while the criminals were behind bars.

The Law Society and the Bar Council published a joint statement last night warning that the abolition of the right to silence — a key provision in today's criminal justice bill — would undermine the presumption of innocence at the heart of the criminal justice system.

They and the civil rights campaigner Liberty warned that a possible increase in convictions of the guilty would be outweighed by the risk that the pressure on the suspect to talk in the police station may result in convictions of the innocent.

When the new law's an ass, page 16; Leader comment, page 17

## RAC drives home breakdown theory

Rebecca Smethers  
Transport Correspondent

**T**HE Government has been accused of failing to tackle crime in a new advertisement from the RAC which alleges that law and order is breaking down.

The adverts are part of a £1 million campaign by the organisation, which has 5.7 million members, against car theft and vandalism. One features the slogan "It isn't the car that's broken down, it's law and order".

David Livermore, RAC group managing director, yesterday played down suggestions that the campaign was a "direct criticism" of government policy but said it recognised that the Government had a problem of resources.

The RAC yesterday published the results of a survey of motorists' experience of car crime, according to which more than one in five drivers have had their cars stolen, vandalised or broken into in the last year. The survey says a car is stolen in Britain every two minutes and another broken into every minute.

More than half of motorists believe that if the Government is not doing enough to fight car crime, the results show,

and more than eight in 10 are worried about becoming victims. Nearly all believe the present penalties are too soft.

More than one in three women — 34 per cent — say they no longer drive alone at night because of the fear of crime.

The survey also showed that 87 per cent of motorists said they would be interested in paying a small amount, rather like an insurance premium, towards a scheme designed to combat car crime. In 1992, insurers paid a record £64 million for car theft claims.

Nigel Whiskin, chief executive of the crime prevention group Crime Concern, welcomed the campaign but said it was important that the Government paid more attention to finding likely offenders.

"One quarter of all those convicted of car crime are aged 10 to 16," he said. "The biggest single factor that pushes them to it is boredom. These are kids who have between 30 and 40 hours a week of unsupervised time."

Commander David Ray, of the Metropolitan Police, said police would be better placed to fight car crime "if more people, both witnesses and victims, actively report incidents".

THE GUARDIAN  
Tuesday January 11 1994

# Ministers 'twisted' former civil servant's crime views

Alan Travis

**T**HE former head of the Home Office's criminal justice division, David Faulkner, yesterday protested at being made a target of the Government's "back to basics" campaign and complained that the Home Secretary had seriously distorted his views.

Both the Home Secretary, Michael Howard, and the Environment Secretary, John Gummer, yesterday named Mr Faulkner as a key exponent of the "kind of theory that has held sway for too long in too many quarters". Mr Howard said that Mr Faulkner, in charge of implementing Home Office criminal justice policy for most of the 1980s and until last year, had criticised him in an article in the Guardian on November 11 for suggesting

that it was the first duty of the police to catch criminals.

"He called this the old canteen culture which he had done so much, he thought, to get rid of," Mr Howard said. "This is the kind of theory that has held sway for too long in too many quarters. We are getting back to basics and saying yes, the first duty of the police is to catch criminals."

But Mr Faulkner said yesterday that this was a misrepresentation of his views. He had complained that the Government's sudden and radical change of direction on crime had left the police unsure as to whether their main task was "simply to detect and arrest criminals — the view of the old 'canteen culture' which so much had been done to correct — or whether they have a wider purpose in maintaining social stability and confidence, in

tackling crime by other means, or in protecting individual rights and civil liberties."

It was not the first time that Mr Howard had misquoted the former senior civil servant's views. During the Commons debate on the Queen's Speech the Home Secretary claimed Mr Faulkner had said the police should be weaned off the silly, old-fashioned idea that their main job was detecting crime and catching criminals and the new Home Secretary had come along and ruined everything.

"To those coppers who see their main job as clearing villains off the street, I have the simple message: Carry on, constable: I will back you all the way," Mr Howard told MPs.

Mr Faulkner said yesterday that many police officers had told him they agreed with him. "It was a statement that the police felt confused. Mr Howard recognised this confusion and to some extent resolved it in the statement of objectives which were issued to the police before Christmas. I am sorry that what I wrote in the Guardian has been so distorted. The policies on which I worked were those of the Conservative government of the time."

Last night Mr Howard responded by renewing his attack on Mr Faulkner. "I am quite clear that the first duty of the police is to catch criminals — that is not 'canteen culture', that's their job. Police officers play many important roles, not least in crime prevention. I am the first to praise that but the last person to ... suggest that their main task is anything other than catching criminals."

It has not been a tranquil baptism for Paul Condon. The Commissioner of the Met talks to **Duncan Campbell** about his first, testing year at the helm

# Britain's top cop sees national police force as inevitable step

**I**T is almost exactly a year since Paul Condon came from Kent constabulary to take over the top job in British policing. It has not been a tranquil baptism for the Commissioner of the Metropolitan Police.

There has been Sir Patrick Sheehy's inquiry into police responsibilities, the Police Bill and the Criminal Justice Bill, the murder of PC Pat Dunn in south London, the death of Joy Gardner during enforcement of a deportation order, the riots over the British National Party's headquarters in Welling, the arrest and conviction of serial killer Colin Ireland, the continuing inquiry into alleged corruption at Stoke Newington police station and the continued bombing activities of the IRA.

Mr Condon, still stiff from a bad fall from his horse at the end of last year, feels that the Sheehy inquiry had a major effect on morale. "History will show it was a very important catalyst for change but it desperately unsettled the service." He believes the Police Bill involves "some very important constitutional issues and I hope there will be a comprehensive debate. If the bill as currently drafted was implemented, there is no doubt we would be moving towards a more centralised national approach to policing."

He believes, too, that a national police force is inevitable. In "a very British way" we are moving towards it incrementally already, he feels, because of events worldwide and particularly in Europe. "The bulk of police work is local and is best delivered by local police stations very heavily involved with local communities. I don't think recognising that and having a national structure is incompatible."

He accepts that many of his colleagues, particularly chief constables of smaller forces, are deeply unhappy with the drift towards centralised control. Asked if when his seven-year contract at the Met is completed he could envisage the role as head of a new national force he replies: "Don't write me into a script."

In an audit of his first year in charge, he would list on the plus side a slight decline in crime generally in the capital, a fall of 14 per cent in residential burglaries and 11 per cent in burglaries overall, which he

attributes largely to Operation Bumblebee aimed at known burglars followed up by high-profile mass raids.

By the end of January nearly 700 additional officers will have gone back to local areas, which he counts as a major plus, along with the introduction of the police charter for London, which sets standards of response and treatment of the public. He also believes that the police handling of public order situations created by the Joy Gardner and Welling incidents was successful.

On the downside, he spoke of the murder of PC Dunn, the level of violence in the capital towards both police and public and the diversion away from other issues because of Sheehy.

But what of the current debate on law and order, back to basics, and whether the police are a "service" or a "force", thief-catcher or 24-hour community servant?

"I think the service/force issue can be a fairly sterile debate. There are occasions when, as a service, we have to lawfully kill people on behalf of society. As a force, we help old ladies across the road and do schools programmes so I find it fairly sterile to say — are we soft, are we hard?"

He will not be drawn on his views of an amnesty for IRA prisoners although he says he would need a lot of persuading to dismantle any part of the Anti-Terrorist or Special Branches in the event of a ceasefire.

Mr Condon imagines that the time will inevitably come when more police officers are armed than not, although he hopes that this is still some years away. He welcomes a debate on decriminalisation of drugs, although he is personally not persuaded it would work.

The award of £30,000 to PC Sarah Locker, who brought an action alleging racial and sexual discrimination against the Metropolitan Police, focused attention on the service's treatment of women and ethnic minorities. He believed she was treated badly by the Met. "It is important: if we're not fair in the way we deal with each other, what hope have we in dealing with the public?"

There were now around 650 ethnic minority officers, still well below the number he sought. It required a "fairly brave youngster" from those

communities to join. But the position of women, he felt, had greatly improved and three of the six Met officers bound for the next senior command course were women. There would very soon be a woman chief constable, who he declined to embarrass by naming, but is widely believed to be Elizabeth Neville, assistant chief constable of Sussex.

The inquiry into alleged corruption at Stoke Newington police station, which is due to report shortly would, he feels, reach an "unsatisfactory conclusion" in that some will believe that not enough action had resulted and the police would feel they have been the victims of "malicious slurring".

He is unwilling to be drawn on the relation between crime and unemployment, but cites the profile of burglars arrested in Operation Bumblebee: between 17 and 23, white, 40 per cent on bail and 70 per cent registered unemployed. Some might say they had made a "lifestyle choice" to be unemployed, others might see it as a tragic link between poverty and crime.

He is unlikely, however, to state too publicly where his own personal views lie, playing a straight bat to the end: "I resent attempts to draw me into party political arguments on either side."



Man from the Met: Commissioner Paul Condon plays a straight bat on political issues

PHOTOGRAPH: FRANK MARTIN

# Council auditor wins unfair sacking case

CORRUPTION whistle-blower – who claimed he was sacked by Hackney Council for telling the truth – won his claim for unfair dismissal last Friday.

Colin Cornelius, 34, told the Croydon industrial tribunal he was ousted from £27,000-a-year job as an auditor after he exposed corruption.

The panel upheld Mr Cornelius's claim for unfair dismissal – but Mr Kisan Menon, who chaired the panel, said the auditor was "50 per cent responsible" for his own sacking.

And Mr Cornelius's claim of unfavourable treatment under the Race Relations Act was dismissed.

Mr Menon gave the two parties two months to reach a financial settlement. The panel will then deliver its written reasons for the judgement.

## 'Hospitalities'

Barrister Mr Peter Hall, representing Mr Cornelius, said senior council officials had their own motives for "stitching up" his client after he had attempted to expose a colleague's improper activities.

The hearing heard how in 1988 Mr Cornelius found evidence to suggest that stores manager Larry Lobjole ordered £30,000 of kitchen stores on behalf of Hackney and accepted "hospitalities".

Mr Cornelius conducted his own investigation and suggested calling in the police, but claimed his efforts were "hampered" by superiors who wanted to cover the matter up.

Mr Hall said Mr Cornelius's internal appeal in July, 1992, was heard by a panel which included ex-councillor Andy Buttress, who was jailed for six months last year on fraud charges.

"There was a desperate need for Hackney Council to cover up all substantial aspects of corruption," said Mr Hall.

"In my submission it is a classic case of senior officers who avoid doing their best before elected representatives of the local council."

However, Mr Andrew Thompson, Hackney Council's barrister, said Mr Cornelius was dismissed because he circulated documents containing "defamatory and malicious allegations" about senior council officers – not because of his investigation into Mr Lobjole.

"He was questioning the integrity of senior officers. That was what started the disciplinary ball rolling. There was never any question of a cover-up," said Mr Thompson.

An overjoyed Mr Cornelius said after winning his case: "It shows there is a legitimate concern that corruption does exist within Hackney Council and does go on."

"The whole situation I was put in by Hackney was a Kafkaesque nightmare. My internal hearings were kangaroo courts. With the local elections coming up, local people should bear this case in mind."

Cllr John McCafferty, the leader of the council, said: "Hackney Council's record on exposing corruption is second to none. Any allegation is always fully investigated, jointly if necessary, with the police."

"The fact that Cornelius is now playing amateur politics proves our case."

# POLICE CHIEF'S PRAISE FOR 'SUPERB' COPS

HACKNEY'S top cop has paid tribute to the dedication of his officers.

"Despite the demoralising effect of proposed changes to the police service and the uncertainty over the Met's future organisation and structure, their commitment to providing a caring, courteous and efficient service to the people of Hackney has been superb," said Supt David Hines, pointing to a high level of customer satisfaction.

Hackney and City Road officers responded to more than 57,000

emergency and other calls from the public during 1993.

They dealt with 22,000 reported crimes, carried out 5,900 stop and searches and made 9,558 arrests. More than 4,000 traffic offenders were reported and 2,350 road accidents dealt with.

## Decrease

Supt Hines said contrary to popular belief, crime levels had fallen consistently throughout the year, with clear-up rates rising to almost 40 per cent in serious crime cases.

The 58 complaints received by Hackney and City Road stations compare with more than 250 letters of thanks and appreciation.

"Naturally we like to give 100 per cent customer satisfaction," added Supt Hines. "But when one sets the number of complaints in context with the amount of work undertaken by the police and the measurable targets we have achieved, the public in Hackney can be confident they are receiving the very highest quality of service from dedicated, hard-working and professional officers."

# Police bill 'risks local crime fight'

GUARDIAN

17.1.94

Peter Hetherington

**S**OME of the most successful crime-reduction schemes could be threatened by legislation aimed at breaking the link between councillors and police, according to senior officers.

As MPs prepare for the second reading of the Police Bill tomorrow, fears are growing that the legislation would undermine a string of community-based initiatives aimed at tackling the causes of crime.

Dick Coyles, chairman of the Police Federation, said the political independence of the police service was on the line.

"If an initiative like this had come from a Labour government, they would be talking about the left wing taking control," he said.

"It is essential that we keep the link with local communities, through elected representatives. We have been changing over the past 10 years and many valuable initiatives have come from individual forces, without government direction."

Already all professional organisations within the police, together with chief constables and the legal establishment have lined up against the bill, arguing that it would open the way for political direction of chief constables, who are to be placed on fixed-term contracts with performance-related pay.

In a letter to the Guardian, Dr Ian Oliver, the chief constable of Grampian and president of the Association of Chief Police Officers in Scotland, along with all the Scottish police organisations, warned that the bill had

alarming constitutional implications for the politicisation of the police.

Others have suggested that it lays the foundations for a national police force.

The bill proposes to give the Home Secretary powers to set national performance targets with specific orders and appoint five of the 16 members of new police authorities.

Three magistrates will sit on the authorities and the chairman will be a new salaried post, appointed by the Home Secretary. This means local councillors will lose their majority and the Government will gain direct control.

But another principal concern is that the Home Secretary's determination to lock up more offenders, instead of concentrating on measures aimed at tackling the causes of crime, could destroy community policing initiatives in sensitive urban areas.

"By issuing specific orders through his new chairmen — the Home Secretary's placemen — he'll be able to direct against these initiatives," one senior officer said. "Such a move would be extremely dangerous."

By chasing statistics, rather than building co-operation with communities, many senior officers fear the reputation of the police could be damaged further.

To comply with national objectives, each police authority will be required to set performance targets.

They will have to set policing objectives annually which must be consistent with national objectives. Annual performance reports will then be published.

# Whitelaw tilts at police bill

Alan Travis  
Home Affairs Editor

**V**ISCOUNT WHITELAW is expected today to lead an attack in the House of Lords on the Government's plans to end local government control of police authorities.

The intervention raises the prospect of ministers facing defeat on one of their main bills. Lord Whitelaw is to be supported by another former Conservative home secretary, Lord Carr, who is believed to have warned that proposals by the present Home Secretary, Michael Howard, to take greater central control amount to political control of the police.

Strong opposition to planned changes for the courts is also expected from the Lord Chief Justice, Lord Taylor, when the Lords debate the second reading of the Police and Magistrates Court Bill today.

Mr Howard last night tried to defuse the potential revolt by announcing a novel process for the selection of the five police authority members whom he will appoint directly.

Six regional boards comprising two local lord lieutenants and a recruitment consultant or "headhunter" will be asked

to draw up a shortlist of candidates.

Applications will be invited from "people of good character from all walks of life who consider they have the skills and experience to contribute to the work of their authority". The Home Secretary will make the final appointment.

The move is thought unlikely to mollify angry Conservative peers worried about powers giving the Home Secretary for the first time the right to appoint the chairmen of police authorities who will have the power to hire and fire chief constables.

The plans have been fiercely opposed by police organisations, representing chief constables to constables, and the local authority associations.

The Police Federation yesterday described the proposal as "a centralising measure that gives the Home Secretary the power to control local policing" and the "first step towards a national police force".

Mr Howard insisted last night that his plan to replace locally elected councillors with Home Office appointees would be carried out "without the input of ministers". He said the lord lieutenants were "independent of government" and the

procedure would "underline the truly independent nature of these appointments".

A Guardian survey of the 51 lord lieutenants, a ceremonial office appointed by the Queen, shows that they include 12 Conservative peers, or former Tory MPs and councillors, three cross-bench peers, 12 retired senior army and naval officers, including two field-marshalls and two admirals and eight knights of the shires. All are male, many went to Eton, and more than a third list "shooting and hunting" amongst their leisure activities.

The shadow home secretary, Tony Blair, said last night: "Nothing can camouflage the fact that the appointments will be political appointments from Whitehall by a minister, with the appointee at the beck and call of the Government."

"Vital local accountability will be lost. The police bill will have a serious adverse effect on community policing."

Ian Lowry, of the Association of County Councils, said the proposed selection procedure still left the Home Secretary with the final decision: "It does not change anything. It just creates the illusion that there is no direct appointment by the Home Secretary."

GUARDIAN

18.1.94

# Whitelaw attacks plans for police

THE Government's hopes of rescuing its back-to-basics campaign by moving on to its policy agenda suffered a severe setback last night when Viscount Whitelaw combined with the Lord Chief Justice in open rebellion over key parts of its law and order proposals.

Lord Whitelaw, backed by two other former Home Secretaries, warned that the Government's plans to take direct ministerial control over police authorities would sweep away 150 years of British history in keeping politicians at arm's length from chief constables.

Lord Whitelaw, the former deputy prime minister and traditional keystone of the Conservative Party, warned Michael Howard that the police changes amounted to "a very dangerous move indeed" which would destroy the political independence upon which the reputation of the police depended.

He said: "Why is the Home Secretary determined to seek the power with all the risks that his predecessors have avoided over all these years? After all, Home Secretaries do not have to seek trouble. They get into it quite easily enough."

Lord Whitelaw was backed by the Conservative Lord Carr and the former Labour Prime Minister, Lord Callaghan, both former Home Secretaries, in complaining that the changes created a politically-run police force for the first time.

A further blow to the Police and Magistrates' Courts bill —

one of the three main bills of the parliamentary session — came when the Lord Chief Justice, Lord Taylor, warned that proposals to reorganise magistrates' courts amounted to unacceptable interference with judicial independence by ministers.

Both Lord Whitelaw and Lord Taylor gave strong hints that they would vote against the legislation if key amendments were not forthcoming.

The Home Secretary's proposal that he should appoint the chairman of police authorities in England and Wales and introduce five Home Office nominees to replace locally elected councillors has met universal opposition from the police and local authorities' associations.

Lord Whitelaw said the success of the British police in combining the roles of traditional friendly bobby and anti-riot duties lay in the tripartite relationship between central government, local government and chief constables.

Lord Carr, who was Home Secretary in Edward Heath's government, strongly supported Lord Whitelaw, describing "a truly non-political police force" as one of "the essential pillars of a great democracy".

Lord Callaghan also warned he would vote against the bill unless the Government substantially amended it.

Mr Howard last night insisted that his package of police reorganisation would leave local police authorities stronger, free-standing and more accountable: "These reforms are not about centralisation."

Sketch, page 6; Leader comment, page 19

GUARDIAN

19.1.92

# The upper-crust of England who will ice the shortlist cake

The Home Secretary's proposals to recruit two Lord Lieutenants to help draw up shortlists of nominees for the new police authorities are likely to do little to defuse criticism that he is undermining local democracy. The Lord Lieutenants are the county representatives of the Queen. A straw poll of six of the ceremonial office holders showed that all were educated at Eton. All but two went to Oxford while those who did not — Field Marshal Sir Roland Gibbs and Samuel Whitbread — went into the army. They are unlikely to dispel the accusation that the Government is seeking to stamp its political will on police authorities of other persuasions. Many of the six had connections with the Conservative party, including a Tory MP, the brother of a Tory cabinet minister and the president of a Tory association. Perhaps above all, their interests reflect their standing. Managing their country estates and large houses, hunting and shooting, or running the shire horse society, loom large.

Profiles by Edward Pilkington and Andy Bowman



**Lord Kington**, Lord Lieutenant for Kent, aged 67, is better known from his summer days as Robin Leigh-Pemberton, Governor of the Bank of England.

Eton and Trinity College, Oxford, led him to the Inner Temple and a swift rise through the ranks of NetWest. He was made a life peer in the Queen's birthday list last year.

At the Bank of England he took a keen interest in detecting and preventing bank fraud, which might earn him some confidence among police. But then there was the Bank's unfortunate record over SCCI...

He is an honorary colonel of the Kent and Sharp-shooters Yeomanry Squadron. He sat on a government committee on police pay in 1977.



**Sir Marcus Wareing**, aged 69, the Lord Lieutenant for North Yorkshire, is brother of the Duchess of Kent.

He has dedicated his working life to Conservative party politics and his mansion house and lavish family estate in the North Riding. He made his name in the 1950s and 1970s as parliamentary private secretary to a number of Tory ministers.

Sir Marcus entered politics after education at Eton and New College, Oxford. After retiring from his Chelsea seat in 1974, he took up part-time employment as a justice of the peace, which arguably gives him more understanding of policing than many of his fellow Lord Lieutenants.



**The Rt Hon Viscount Ridley**, aged 66, the Lord Lieutenant of Northumberland, has been a Lord steward of the Queen's Household for four years.

Educated at Eton and Balliol, Oxford, he went to Sandhurst and emerged as a captain in the Coldstream Guards. He was raised to battalion-colonel in the Northumberland Hussars.

A leading light in the Territorial Army, he once wrote to the Times protesting that the TA was not mobilised during a gale. He is president of the TA council.

He is brother of the late Nicholas Ridley, and served as president of the Tory-dominated Association of County Councils. He is president of the British Deer Society.



**Field Marshal Sir Roland Gibbs**, aged 72, the Lord Lieutenant of Wiltshire, has one thing in common with the police — his former title of Constable of the Tower of London.

Eton took him to the Royal Military College and from there into the King's Royal Rifle Corps.

He has had what the army calls a "varied career" in regimental and staff appointments, including commander of a parachute brigade in Cyprus with the United Nations and chief of staff in the Middle East.

He saw a tour as aide-de-camp to the Queen before returning to duty on the Salisbury plain. He lets his interests in Wiltshire horse sports.



**Samuel Whitbread**, aged 56, the Lord Lieutenant of Bedfordshire since 1991, is chairman of the brewery conglomerate that bears his name. He has set up a justice of the peace and a high sheriff, which may give him some claim to understanding the ways of the police.

He joined the army after Eton, joining the board of Whitbread in 1972. He also enjoys close ties with the Conservative party, as president of the Mid-Bedfordshire Conservative Association between 1986 and 1991 and as a Tory county councillor.

He lets shooting among his interests and is president of the shire horse society.



**The Duke of Buccleuch**, aged 70, as the Lord Lieutenant for Roxburgh in Scotland, will not directly fall under the Home Secretary's proposals, which cover England and Wales. But as chairman of the Association of Lord Lieutenants he sets the tone of the ancient institution.

Not just a duke but a double one, he is also the 11th Duke of Buccleuch and owns one of the largest private estates in the country. The Buccleuch estates cover 275,000 acres mainly in the Scottish moorlands.

He was MP for Edinburgh North for 13 years. From Eton he went up to Christ Church, Oxford, where he was friendly with Margaret Thatcher. He is a strong defender of all things hereditary.

## Sir Simon says keep hands off police authorities

**David Ward finds the Lord Lieutenant of Lancashire politely and unpolitically opposed to plans to change the system**

**S**IR Simon Peter Edmund Cosmo William Towneley, Her Majesty's Lord Lieutenant of Lancashire and expert on early Venetian opera, suggests with great politeness that the Government should keep its hands off police authorities.

"It's difficult for a Lord Lieutenant because one is unpolitical, and it seems to me these things are best left to the House of Commons and the House of Lords," he said. "But if the Association of Lord-Lieutenants is going to express a view, I would certainly have an input."

Sir Simon, knighted in the New Year honours list, says the police system is based on local democracy, and works. He is not happy with the pro-

posal that he should be obliged to provide a list of names from which the Home Secretary should take his pick. Nor is happy that Mr Howard will have power to appoint authority chairmen.

"The general view on the part of past Home Secretaries was that this would be a dangerous thing to do," he said. "It would bring the police into politics."

Sir Simon, brother of the journalist Sir Peregrine Worsthorne, has been the Queen's representative in Lancashire since 1977. A one-time Conservative county councillor, he was appointed on the recommendation of Harold Wilson, the former Labour Prime Minister.

The procedure is arcane,

he said. "Soundings are taken in various ways, and I believe the outgoing Lord Lieutenant is consulted. You then get a letter from Downing Street saying that the Prime Minister would like to put your name up to the Queen, and would that be agreeable?"

Lord Lieutenants stay with the job till they are 75. They are unpaid but receive some expenses, although not for entertaining or travel.

"It's very time consuming — although a Lord Lieutenant of Kent was also governor of the Bank of England. How he did it, I don't know.

First and foremost, your duty is to uphold the dignity of the Crown," said Sir Simon.

The second function involves the administration of justice, including the recommendation of names of potential magistrates to the Chancellor of the Duchy of Lancaster.

"The third duty is a residuary one from the days when Lord Lieutenants had a military function in that they called out the reserve forces.

"Today we take it in turns to be president of the Territorial Army in the region, which here stretches from Cheshire to the Scottish border."

If it's not the TA, it's the universities. On Tuesday Sir Simon was at a meeting of the court of the University of Manchester.

He is also a member of the university's council and of the councils at Lancaster, Liverpool and Salford. Tomorrow he will take the chair at a centre for medical studies at the new University of Central Lancashire.

"There is a number one and a number two uniform, but they are basically the same," he said. "Number one has silver epaulettes — it's the uniform you wear when

accompanying members of the royal family. With the other uniform, you can wear a cloth belt rather than a sword. But I think only those who know would notice any difference. One is ceremonial and the other is uncivilised."

Sir Simon was educated at Stowe and Worcester College, Oxford, where he taught music until 1955 when he moved to Burnley to run the family estates, marry (one son, six daughters) and change his name. He was born Simon Koch de Gooreynd but assumed the surname and arms of Towneley by royal licence and by reason of descent from the elder daughter and senior heiress of Colonel Charles Towneley of Towneley.

After 18 years as Lancashire's royal representative, he still enjoys the job. "Although there are times on a lovely summer day when I would rather be gardening."

# Howard strives to quell Lords revolt

Alex Travis  
Home Affairs Editor

**T**HE Home Secretary, Michael Howard, was last night trying to find a compromise to defuse the unprecedented scale of rebellion in the Lords over his plans to end local government control of police authorities.

He was said to be "deeply disappointed" that a concession on Monday had been unceremoniously swept aside by those who led the assault, Viscount Whitelaw and Lord Callaghan. They were supported by Lord Carl, Home Secretary in Edward Heath's government.

The first attempt to mollify peers involved a proposal for a novel selection system for the five Home Office nominees who will replace elected councillors on the new police authorities.

It involved the appointment of six regional selection boards each composed of a professional "recruitment consultant" and two Lord Lieutenants - a ceremonial office appointed by the Queen - who would draw up a shortlist for the Home Secretary to make the final appointment.

Mr Howard's case was not helped by the fact that the proposal was only put to the Association of Lord-Lieutenants last week. They have not had time to discuss it.

Peers criticised the idea on the grounds that Lord Lieutenants lacked experience of life on high-crime housing estates and that it still left the Home Secretary with the final say.

Mr Howard yesterday insisted that criticism from previous Home Secretaries was "misplaced" but added that he would "see whether there is anything that can be done to

modify our proposals which will allay concerns".

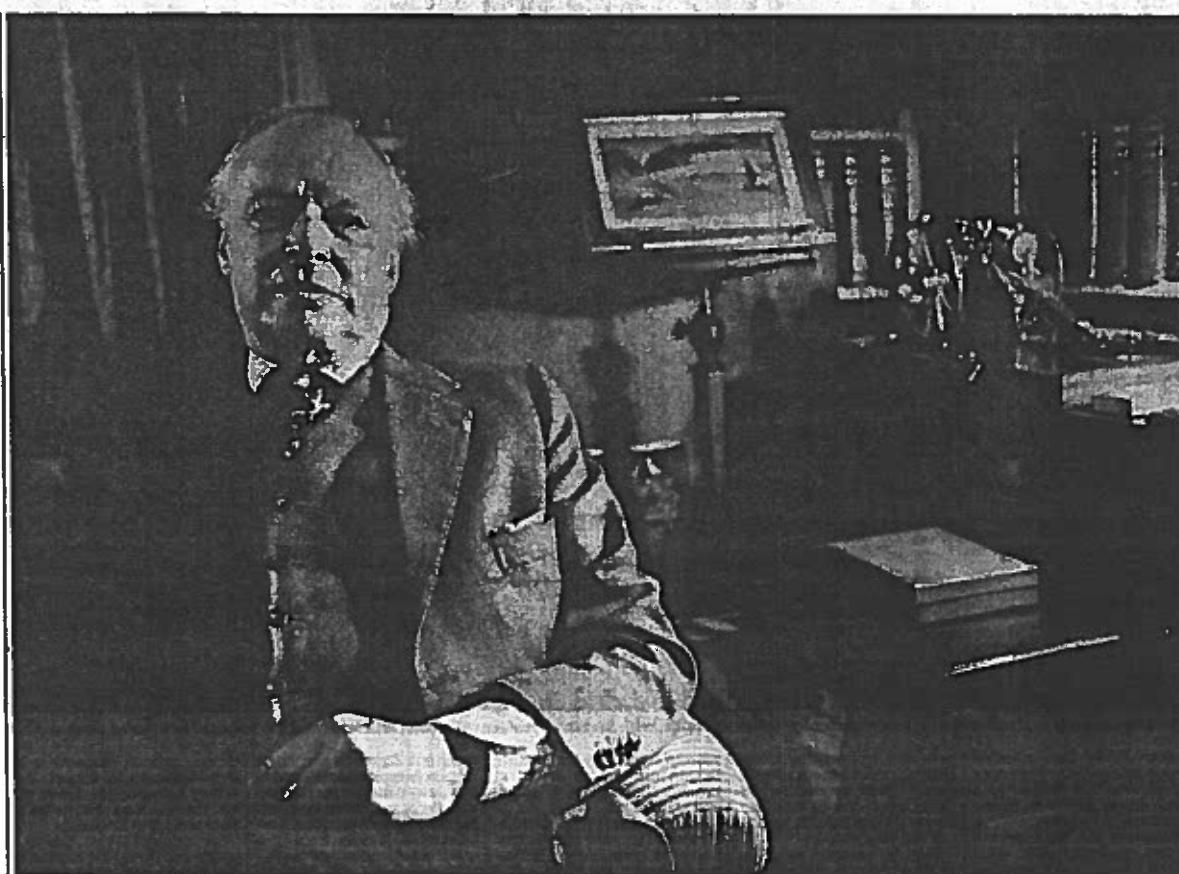
Last night he appeared haken when Tories on the Commons home affairs committee suggested allowing police authorities to choose their chairmen but leave the Home Secretary with the final approval. Mr Howard said it was open to anyone to give him advice on the chairmen, but he believed he should retain the right of appointment to match the degree of new financial freedom Chief Constables will enjoy.

His refusal to announce an immediate climbdown left many Conservative MPs baffled over why he was so attached to the proposal to take control from local authorities, first put forward by his predecessor, Kenneth Clarke. Some opposition peers believe he is motivated by the fact that after last year's local elections the Conservatives control only five of the 41 police authorities.

Mr Howard will meet Lord Whitelaw privately to try to find an acceptable compromise before the legislation reaches the Commons, where the Government's narrow majority could endanger the its entire police changes. The Lords will next debate the issue on February 18.

It is believed that Mr Howard would have to climb down over the insistence that the new bodies contain five Home Office nominees before Lord Whitelaw would drop his opposition.

Lord Whitelaw said yesterday: "It is a danger that if the Home Secretary does appoint the chairmen of the police authorities, then the Chief Constable will lose his independence. I have to tell him quite firmly [Mr Howard] that I, from my very long experience, do not believe it is a risk we should take."



Dignified retreat... Sir Simon Towneley, Lord Lieutenant of Lancashire. "There are times when I would rather be gardening."

PHOTOGRAPH: CHRIS THOMOND

## Queen's men

Lord Lieutenants for England:  
Sir John Wills (Avon), Samuel Whitbread (Bedfordshire), John Henderson (Berkshire), Commr The Hon John Fremantle (Buckinghamshire), James Crowley (Cambridgeshire), William Broome-Davenport (Cheshire), Lord Glanborough (Cleveland), Viscount Falmouth (Cornwall), St Charles Graham (Cumbria), Col Peter Hilton (Derbyshire), Lt Col The Earl of Morley (Devon), Lord Digby (Dorset), David Grant (Durham), Adm Sir Lindsay Bryson (Essex), Adm Sir Andrew Lewis (Essex), Henry Rivers (Gloucestershire), Field Marshal Lord Bramall (London), Col John Timmins (Manchester), Sir James Scott (Hampshire), Capt Thomas Dunn (Hereford & Worcester), Simon Bowes Lyon (Hertfordshire), Richard Bethell (Humberside), Lord Mottram (Isle of Wight), Rt Hon The Lord Leigh-Pemberton (Kent), Dr Simon Towneley (Lancs), Timothy Brooks (Leicestershire), Henry Neville (Lincolnshire), Henry Cotton (Merseyside), Timothy Colman (Norfolk), John Lowther (Northamptonshire), Viscount Ridley (Northumberland), St Marcus Worley (N-Yorkshire), Sir Andrew Buchan (Nottinghamshire), Sir Ashley Ponsonby (Oxfordshire), John Dugdale (Shropshire), Col Geoffrey Luttrell (Somerset), James Nell (S-Yorkshire), Sir Arthur Bryan (Staffordshire), Sir Joshua Rowley (Suffolk), Richard Thornton (Surrey), Sir Ralph Carr-Elliott (Tyne & Wear), Viscount Daventry (Warwickshire), Earl of Aylesford (Midlands), Duke of Richmond (W-Sussex), John Lyles (W-Yorkshire), Field Marshal Sir Roland Gibbs (Wiltshire).

## Taylor condemns right of silence clause

Claire Dyer  
Legal Correspondent

**T**HE Lord Chief Justice, Lord Taylor, last night launched his second attack within 24 hours on a key provision of the Government's law and order policy.

He said he and other judges were "seriously troubled" by clause 28 of the Criminal Justice and Public Order Bill, which requires judges to call a defendant refusing to give evidence into the witness box.

The clause forms part of a package for England and Wales, mirroring changes to the right of silence introduced in Northern Ireland in 1988.

Clause 28 "may well produce unreliable and unfair results", he told judges and lawyers at Grays Inn in London.

His comments reflect widespread opposition among senior judges to the clause, which one said would "risk turning the trial judge into an instrument of government policy". Lord Taylor's criticism, coming a day after he attacked the Police and Magistrates' Courts Bill in the House of Lords, will put the Government under pressure to amend both bills.

On Tuesday night, he described as "chilling" provisions in the Magistrates' Courts Bill putting justices' clerks on fixed-term contracts with performance-related pay.

Last night, delivering the annual Tom Sargent lecture, organised by the law reform group Justice and sponsored by the Guardian, he said judges might regard a decision not to testify as defying the judge. Clause 28 did not lie easily

with the principle, still intact, that the defendant had a free choice whether to give evidence.

Lord Taylor said it should be for the defendant's lawyers, not the judge, to explain the consequences of refusing to give evidence. "For the judge to explain it all again will be tedious. For him to follow his explanation with the dramatic phrase 'I call upon you to give evidence', amounts to an unnecessary piece of ritual procedure.

"The impact on a jury of a defendant's silence after a call from the judge may well be more adverse than any carefully phrased comment the judge may later choose to make.

"Indeed, he may in his summing up, having heard counsel's speeches, choose not to make an adverse comment at all or even to enjoin the jury not to draw an adverse inference."

But Lord Taylor believed the provisions in the bill allowing a judge to comment on a defendant's silence at the police station or at trial were not unfair. "I think they introduce an element of common sense and realism which has been sadly lacking hitherto."

They did not give a blanket right to draw adverse inferences from silence under police questioning, but only in three special circumstances: where a defendant relied on a fact at trial which he could have been expected to mention under questioning; had something in his possession apparently related to the offence which he failed to account for; or was arrested at a time and place suggesting he was there because he committed the offence.

The defence that a defendant was forced into committing a crime was being used to seek information about informants which could endanger their lives.

Lord Taylor called for legislation limiting the prosecution's

THE GUARDIAN  
Thursday January 20 1994

# DPP defies call to send more cases to court

Alan Travis  
and Clare Dyer

**T**HE Director of Public Prosecutions, Barbara Mills, last night insisted she would not lower the standards of the Crown Prosecution Service to the "give it a whirl" school of justice in the face of accusations from police officers and lawyers that too many cases are being dropped before they come to court.

"The impression over the last year is that I have been on the retreat but that is not true at all," she told MPs on the Commons home affairs committee.

Mrs Mills blamed the lack of proper preparation by the police for two-fifths of the 185,000 cases dropped before they came before the courts last year and denied that the performance of the CPS was "crucial in

explaining why the workloads of the courts were falling.

In a survey released yesterday by Mrs Mills, nearly half the cases dropped by the CPS at the magistrates' court stage were discontinued because lawyers judged there was no prospect of conviction.

When MPs pointed out that a survey of CPS lawyers had found they had no confidence in senior management, Mrs Mills insisted there had been "a sea change" in the organisation since its publication two months ago.

She said the increase in police cautions was a big factor in the falling workload of the courts. Others were a falling police detection rate and problems in the past in agreeing with the police a standard format in which files were presented to the CPS.

Mrs Mills claimed that in a

quarter of the cases that had to be dropped CPS lawyers had no option because witnesses were missing or refused to give evidence or because the case was being considered elsewhere in the justice system so the "double jeopardy" rule applied.

Mrs Mills answered criticisms that in too many cases the victims of crime were not informed of the reason why the case had been dropped by arguing that the line of communication between the CPS and the victim was too long. "That is an area we have to improve upon," she said.

The analysis of all 10,000 cases dropped at the magistrates' court stage in November 1993 was commissioned to counter criticism of the CPS.

The Bar Council passed a motion last October condemning the service for being too ready to abandon cases "fearing de-

feat or cost". Mike Bennett, the Metropolitan Police Federation chairman, dubbed the service the Criminal Protection Society.

Members of Mrs Mills's staff have criticised her for being too ready to reduce charges to allow cases to be heard more cheaply in the magistrates' courts.

The CPS discontinued 185,824 cases coming before magistrates' courts in the year ending September 1993. Another 8,048 were dropped at the crown court.

Of the 10,000 analysed, 43 per cent were abandoned on the ground of insufficient evidence to provide a realistic prospect of conviction.

In 31 per cent of cases, prosecutors abandoned them because it was "not in the public interest" to proceed, such as where the defendant had been

convicted and sentenced on other matters (9 per cent), or a nominal penalty was likely (6 per cent).

In 17 per cent of cases, the prosecution was unable to proceed because witnesses were missing, the offence had been taken into consideration when the defendant was convicted for another offence, the case was not ready, or an adjournment was refused.

● A policeman who threw a banger at a pregnant woman from his patrol car was found guilty of discreditable conduct and fined £250 yesterday by a Kent police disciplinary hearing, after the CPS decided the offence was not serious enough to bring to court.

PC John Hambly, aged 29, was suspended from duty after the incident in Gillingham last November. He was reinstated after the hearing.

27.1.94

GUARDIAN

## Crime squad case goes to appeal court

Duncan Campbell  
and Satish Sekar

**A** MAN convicted of murder in a 1983 case involving members of the West Midlands serious crime squad will appear in the Court of Appeal this morning with fresh evidence which his legal team hopes will bring his release from a life sentence.

Tarlochan Singh Gill, aged 28, from Handsworth, Birmingham, was convicted of the murder on March 8, 1983, of Wati Suri, an elderly Indian woman, at her son's home. The murder was alleged to have been carried out by four Asian youths, including Mr Gill.

Balbinder Heer, Narinder Chauhan, Navinder Shinji, and Mr Gill, all then aged 18, were convicted of murder and robbery. Mr Shinji is Mr Gill's younger brother. There was no forensic or eyewitness evidence but all four were alleged to have made confessions.

At his trial, Mr Gill claimed he had been intimidated by threats from officers and stripped and beaten with a wet towel. He also claimed that some of his hair had been pulled out. His solicitor, Graham McGrath, said that he saw Mr Gill produce a quantity of loose hair from his scalp.

Both Mr Gill and Mr Shinji made immediate complaints of assault. Mr Gill also produced

alibi evidence that he had been with his parents at the time of the murder. Neither Mr Heer nor Mr Chauhan gave evidence.

In 1985, Mr Heer, Mr Shinji and Mr Chauhan were all cleared on appeal.

Mr Gill appealed unsuccessfully and since then has been trying to have his case reopened. It was finally referred back for a second appeal at the end of 1992.

The case is the latest in a series involving the West Midlands serious crime squad. The main grounds for his appeal are that a key officer in the case has been shown to be unreliable in three other cases. In one, police paid £20,000 damages for wrongful arrest to

Derek Gordon, who was arrested for a murder in 1985. Mr Gordon had a watertight alibi and no evidence was offered against him at his trial.

The same officer was involved in the case of Raymond Fryer, who successfully appealed against conviction on the basis that his alleged confession had not been contemporaneously recorded.

Last week the same officer was further discredited when Seymour Williams and Patrick Smith, jailed for three years on the basis of contested confessions, had their convictions quashed by the Court of Appeal. Three of the six officers involved in the Wati Suri investigation were also involved in

the Williams and Smith case.

Mr Heer and Mr Chauhan, who say that they knew nothing about the crime and did not implicate Mr Gill as had been alleged at their trial, may be called to give evidence.

They say that they did not give evidence at the trial because they feared that they would not be believed and might be convicted of murder — as they were anyway — while their alleged confessions merely pointed towards burglary.

Mr Gill will also argue that there was a prejudicial effect on his case from Mr Heer's and Mr Chauhan's interviews, despite the judge's direction to the jury to ignore them.

# Proportion of crimes which are solved by the police continues to decline

Alan Travis and Andrew Bowman on figures that convey a stark message

**T**HE further fall last year in crime detection rates across England and Wales disclosed by the Guardian survey today comes on top of a two-year slump in the proportion solved in 1991 and 1992.

The overall clear-up rate for England alone, according to the Home Office, declined slowly from 36 per cent in 1980 to 31 per cent in 1989 but then sharply fell to 25 per cent in 1992.

The survey was based on information obtained from 39 out of the total of 43 police forces in England and Wales. The Home Office has yet to publish the detection rate figures for 1993 and they were omitted from the latest national crime figures published in December.

There are a number of ways in which the police regard an offence as "cleared up", including when an offender is charged, summoned, warned or cautioned.

An offence is also put down as "cleared up" if it is admitted and taken into consideration by the court, or if there is sufficient evidence to charge someone but the case is not taken any further.

Some of the police detection rates quoted in the table covered only part of 1993.

But they give a clear indication that there has been a con-

Clear up rates (%) for all recorded crime — by police force

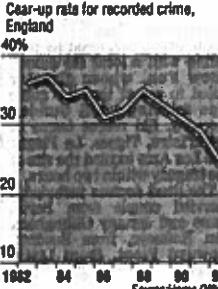
	1982	1992
Camb	27	25
Cheshire	29	28
Cleveland	32	28
Derbyshire	22.8	21*
Dorset	32	33
Durham	30	30
Essex	29	32
G/Manchester	35	33
Hants	28	25*
Herts	23	17
Humbershire	23	16
Kent	27	25
Lancs	37	36
Lincs	34	32*
London, City of	20	21.7
Merseyside	42	39*
Met	16	16
Norfolk	34	27.5
Northants	30	27
Northumbria	17	20
N. Yorks	33	30
S. Yorks	27	20*
Suffolk	36	34*
Surrey	22	21
Sussex	22	23
Thames Valley	19	20*
West Mercia	25	19*
West Midlands	27	27
West Yorks	23	18*
Wiltshire	37	35.5
N. Wales	34	36

\* Some of the 1982 figures are for part of the year only. Seven forces which are not listed have yet to publish their detection rates.

tinuing falls in the proportion of crimes solved in 22 police forces in the face of rising recorded crime.

Seven of those forces — Cleveland, Humbershire, Norfolk, South Yorkshire, Suffolk, West Mercia and West Yorkshire — recorded drops of more than 5 per cent. Four police forces have maintained their clear-up rates at the same level, despite the overall rise in

Criminal statistics



crime. A further six have managed small increases of between 1 and 3 per cent. These include Essex and Northumbria.

The problem is put into the sharpest relief in Cheshire, which once enjoyed the highest clear-up rate in the country.

In 1980 the clear-up rate in Cheshire stood at 50 per cent; by 1991 it had dropped to 41 per cent; by 1992 it had slumped to 29 per cent in the face of one of the largest (23 per cent) increases in recorded crime in the shire counties. In 1983 the Cheshire constabulary recorded a further small fall in its clear-up rate to 26 per cent, despite a rise of only 1.6 per cent in recorded crime.

The strain put on the force by the Warrington bombings is cited by the Cheshire police as a primary cause of the further fall.

In some cases, the headline figures conceal sharp varia-

tions in police performance for particular types of crime.

The small drop in the clear-up rate between January and October last year in Cambridgeshire masked a 5 per cent fall to 21 per cent in the proportion of burglaries that were solved.

Some of the largest falls in detection rates have been seen in those police forces which have recently abandoned the practice of sending detectives to prisons to interview convicted inmates about unsolved crimes in order to "write them off".

The large falls in the detection rate in Humbershire and West Yorkshire can be attributed to decisions to end this practice.

Although overall clear-up rates appear very low, they vary sharply with the type of offence.

More than three-quarters of all violent offences and sex crimes are solved by the police, while the culprits are caught in less than one in five cases of burglary or of theft from cars.

One area where several forces have increased their real clear-up rate in the last year is as a result of campaigns against burglaries modelled on the Metropolitan Police's Operation Bumblebee.

Leicestershire, for example, saw the number of burglaries

fall.

The force's detection rate rose in November and December for the first time in many years as a result of Operation Jackdaw, which concentrated on intelligence gathering, and ensuring that "hail bandits" observed their curfew bail conditions.

# Clear-up rate for crime falls below 1 in 4

Alan Travis  
Home Affairs Editor

**T**HE RATE at which police forces caught criminals declined again last year, according to a Guardian survey of detection rates across England and Wales.

The survey, which included 39 out of 43 police forces, shows that 22 police forces recorded declines of up to 7 per cent in their clear-up rate for crime during all or part of 1993. Only six forces recorded increases, of between 1 and 3 per cent.

The findings were described last night by Tony Blair, the shadow home secretary, as devastating and will alarm Home Office ministers and senior police officers battling to restore public confidence in the criminal justice system.

According to the Guardian survey, fewer than one in four crimes ends in the criminal being caught and dealt with by the police and courts.

The findings are all the more alarming in that they follow two years in which the national police clear-up rate slumped in the face of unprecedented increases in recorded crime. The clear-up rate for England and Wales has fallen from 40 per cent of all crime in 1980 to less than 26 per cent last year. The Scottish clear-up rate has remained stable during the same period at around 32 per cent.

The disclosure that the detection rate has continued to deteriorate in the past 12 months will make it harder for Michael Howard, the Home Secretary, to demonstrate that his 27-point law and order package will cut the crime rate when his two main pieces of criminal justice legislation reach the statute book later this year.

Mr Blair said: "These figures

are devastating. They show the police being swamped by the ever rising tide of crime and they underline yet again the central importance of Labour's message that we must combine measures of crime prevention with measures of punishment. We have constantly urged on the Government that community policing, where the police work in partnership with other agencies, is the way forward and produces the results."

Mr Blair said the Guardian's survey demonstrated the limitations of the Home Secretary's policy of jailing more offenders as his principal crime deterrent.

"These detection figures show the absurdity of Mr Howard's one club approach. Not only are the Government failing on crime prevention, they are dismantling many good crime prevention initiatives, for example the cuts in the Safer Cities programme, and they have broken their promises to provide extra police that they gave in the last election," he said.

But Mr Howard again defended his "prison works" policy in the face of renewed criticism from former judges, prison governors and penal reformers that jails remained "colleges of crime" and that the fear of being caught was a more powerful deterrent.

The Home Secretary told BBC TV's *On the Record* that young offenders could not terrorise the public if they were in prison. He argued that the streets were equally effective colleges of crime, with the public facing a huge bill every year for the criminal damage inflicted by persistent juvenile offenders.

Solved crimes continue to decline, page 8; Leader comment, page 19

GUARDIAN 31.1.94

# Police attack plan to scrap silence right

Alan Travis  
Home Affairs Editor

**T**HE police yesterday surprised ministers by adding their voice to criticism by the legal establishment and civil liberties campaigners of the Government's plans to abolish suspects' right to silence.

The Police Federation said it supported the abolition in general but warned that without specific safeguards the proposals could lead to a new phenomenon of defendants accusing officers in court of "non-verballing" them.

It said that unless the new limit on the right to silence was restricted to what happened in recorded interviews in the police station, officers would find themselves vulnerable to accusations that they ignored explanations offered by suspects.

They fear the general limit proposed by the Government would mean that officers will be obliged to record in detail everything said from the point of arrest until the arrival of the suspect at the police station.

The federation's parliamentary adviser, Mike O'Brien, Labour MP for Warwickshire North, yesterday told the Commons committee debating the Criminal Justice and Public Order Bill, that unless it was amended they would refuse to support the key clause in the legislation allowing juries to infer guilt from a suspect's failure to give a reasonable explanation when questioned by the police.

"Without proper safeguards police officers could be exposed to a new charge of 'non-verballing' if they suggest in court that the defendant refused to answer questions," said Mr O'Brien. He said it would be open to defence counsel to argue that their clients had offered explanations of their actions but they were not recorded by the police.

The disclosure of the Police Federation's reservations comes after a House of Lords revolt against the Home Secretary's plans to introduce Government appointees on police authorities.

Michael Howard is expected to announce in the next few days that he has dropped plans to appoint the chairman of

police authorities himself and to restrict the size of the new authorities to 16 members.

The decision of the Police Federation to join the Bar Council, the Law Society, Justice and Liberty in criticising the Government's plans to limit the right to silence left the Minister for Criminal Justice, David Maclean, relying only on the unconditional support of the Lord Chief Justice, Lord Taylor, when he defended the proposals yesterday.

Lord Taylor has criticised a later proposal in the bill to draw judges into the fight within the courtroom for the first time by insisting that defendants go into the witness box or explain their refusal to give evidence.

Labour's home affairs spokesman, Alun Michael, said yesterday that Labour opposed the abolition of the right to silence in the police station but accepted the need for the defence to disclose its case at a pre-trial hearing to prevent "ambush defences" when defendants put forward their case at the last minute in court to avoid any police investigation.

"Our plan would force defendants to say what the basis of their defence will be in advance of trial when they know what the charges will be," he said. "It would have the great benefit of speeding up the work of the courts by using a system that has worked well in the civil and family courts."

Labour argued that the Government's approach would increase the pressure on the vulnerable when questioned by the police but would not affect the hardened criminal who knew how to play the system.

Mr Maclean told MPs that the Government was still studying the Royal Commission's recommendations on "ambush defences" and pilots are to be held in three crown courts into the use of "pre-trial hearings".

But he rejected Labour's criticisms of the abolition of the right to silence saying the current rules were open to exploitation by experienced, professional criminals. "The suspect or defendant will be free to choose whether or not to remain silent, and it then be for the court to draw an inference which appears proper, if the circumstances are such to allow any inference at all to be drawn," he said.

# Stinging the blues

This week the Police Complaints Authority will finally publish its report into drug dealing and fitting-up of suspects at Stoke Newington police station. Julian Kossoff charts the incredible scandal first revealed by *Time Out* and asks why relations are still so soured between Hackney police and the black community.

**O**n a cold morning in January 1992 Sergeant Gerry Carroll walked into one of the cells at Barkingside police station, east London. He was holding a police issue revolver in his hand. Moments later a shot rang out: Sgt Carroll had blown his brains away.

In Stoke Newington, north London, where Carroll had recently served for six years, there was disbelief when the coroner's verdict was that he had killed himself to escape the constant ringing in the ears caused by the tinnitus brought on by a punch in the head several years earlier.

To many in the community he was known as a corrupt copper who had an unsavoury track record for beatings, unlawful arrests and 'fitting-up' suspects by fabricating evidence.

He was not alone, the proverbial bad apple in an otherwise healthy barrel. The day Carroll killed himself, eight officers were also hurriedly transferred out of Stoke Newington under a cloud of suspicion, as he had been.

Stoke Newington was gaining a reputation far and wide as a 'bent nick' and 50 of its officers - many in the drugs squad - have now been investigated as part of one of the largest-ever police corruption probes, known as Operation Jackpot. Local MP Brian Sedgemore compared Carroll's funeral, attended by friends and former colleagues from Stoke Newington, to a Mafia affair.

Two years after *Time Out* first revealed that Scotland Yard's Central Investigation Branch (CIB) had launched Operation Jackpot, the much delayed Police Complaints Authority (PCA) recommendations are finally due to be published this Wednesday, February 2.

Barbara Mills, the Director of Public Prosecutions, and a battalion of Crown Prosecution Service lawyers are expected to make an early decision on criminal charges.

Ironically, the dramatic Carroll suicide was reminiscent of another death almost exactly nine years previously, when Colin Roach, 21, walked into the foyer of the old Stoke Newington station, and blasted himself with a shotgun.

Roach, who was black and had a history of run-ins with the local police, was rumoured to have been killed. Though an inquest exonerated the police, it is symptomatic of the breakdown of relations between police and the community that Hackney's 30,000-strong Afro-Caribbean community continued to suspect foul play. Relationships

with police had been poor ever since the first Jamaican immigrants arrived in Hackney in the 1950s, but after the Roach death the situation between the police and the local

community began to spiral out of control.

By the beginning of the 1990s, when the hugely profitable crack cocaine hit the streets of London, the

difference between law keepers and law breakers was becoming increasingly blurred in north London.

People living in the crumbling Victorian conversions off the Kingsland High Street, and in the cockroach-infested tower blocks of the Nightingale Estate and others like it, were familiar with the talk of maverick police officers going into the drugs business for themselves. They had cynically dubbed the police station 'Stokey Cockey'.

By the beginning of 1992, *Time Out* was the first to report that a police internal inquiry led by Detective Superintendent Ian Russell was investigating several of Stoke Newington's CID officers who, unknown to their superiors, had:

- Netted tens of thousands of pounds by running their own drug dealers, whom they had supplied with crack cocaine, seized in raids on other dealers.
- Lined their pockets by extorting from the area's numerous pubs, clubs and shebeens.
- Planted drugs on known dealers around the 'front line' at Sandringham Road to obtain convictions, and aid dealers they favoured.
- Planted drugs on people to boost their clear-up statistics.
- Solicited bribes from known drug dealers in return for allowing them to walk free, and offered drugs to two people to testify in a murder trial.
- Assaulted and racially abused suspects.
- One officer alone, Detective Constable Roy Lewandowski, 32, was accused of making up to £2,000 a week from one major crack dealer. Lewandowski, who was once commended for his heroism, went on to serve a prison sentence for stealing valuables from the home of a murder victim, whose killing he was supposed to be investigating. He is now out of prison and offering to give evidence against former colleagues.
- Detective Constable Barry Lyons and PCs Bruce Galbraith and Ronald Palumbo were suspended following allegations about lying on oath. PC Terrence Chitty, who was also accused of lying, escaped suspension.
- Another officer, PC Martin Wilson, is serving a nine-month prison sentence for conspiracy to pervert the course of justice, although the conviction is not believed to be connected with the Operation Jackpot inquiry.

As the list of Stoke Newington's suspected renegade officers grew, lawyers whose clients had been arrested by them realised that the claim that they had been 'fitted up' was more than a knee-jerk

attempt to dodge doing time. As a result, in 1993 a series of drugs-related cases collapsed in court specifically because Stoke Newington police witnesses were found not to be credible by several judges. Even the Crown Prosecution Service (CPS) belatedly dropped cases because the testimony from certain officers was too unreliable.

The latest to walk free were Raymond Jones and Winston Thompson, who successfully appealed against their drugs and theft convictions six weeks ago. The Court of Appeal heard that the officers involved in Jones and Thompson's case could not be regarded as 'witnesses of truth' and their evidence was tainted. The Chief Justice, Lord Taylor, apologised to the two men, and ordered the PCA to hurry up with the publication of its findings.

This brings to ten the number of convictions originating from Stoke Newington that have now been quashed. This is one short of the 11 men convicted and later freed because they had been 'fitted up' by the detectives of the notorious West Midlands serious crime squad. However, this record could be broken this year with two other Stoke Newington appeals - one an armed robbery conviction which carried a sentence of 11 years - in the pipeline.

If the PCA report's conclusions are damning, it would represent a major scandal for the Metropolitan Police which has striven to enhance public confidence in the service.

The PCA has promised that there will be 'no whitewash', but Graham Smith, secretary of the Hackney Community Defence Association (HCDA), said he feared it would be 'too little, too late'. 'It is the police investigating the police, it was flawed from the beginning and is doomed to failure,' he says.

The considered opinion is that the report will recommend that several police officers, formerly based at Stoke Newington, will be charged with perjury and conspiracy to pervert the course of justice, but will escape prosecution for drugs-related offences which would be perceived as more damaging to the Metropolitan Police's image.

Barrister Peter Hall, who has represented five clients who have made complaints to Operation Jackpot, said: 'The key issue is that there should be prosecutions in relation to drugs offences. Otherwise it will all have been a waste of time.' He added that perjury carries a heavy sentence, but prosecutions were rarely successful and the CPS did not pursue such cases with rigour.

Chief Inspector David Hudson of Stoke Newington police said he welcomed the imminent PCA publication. It would finally allow the station to escape its reputation for rough justice and rogue cops. 'I hope the truth will come out. The inquiry has cast a shadow over us for a very long time now.'

Despite the station being in the spotlight of suspicion, he said the 400 officers at the station - one of London's largest - had tried to get on with policing one of London's unmeallest beats.

The scandal-hit drug squad has been rebuilt with much more emphasis on video tape evidence and the conviction rates were high, said Chief Inspector Hudson.

The HCDA, which was formed in the aftermath of the Colin Roach suicide, and has established a reputation for its police monitoring, is compiling a dossier of new evidence which it claims will identify the ongoing culture of violence within the Stoke Newington and Hackney divisions.

They intend to deliver it to the Home Secretary, Michael Howard, as soon as the Operation Jackpot recommendations are made public. They will demand a judicial inquiry be ordered into Hackney's two police divisions. The issue is not drugs, it's the number of incidents of police violence - police crime generally,' said Smith.

Beyond the ongoing Operation Jackpot investigation, 57 complaints were made to the HCDA in 1993 and next week a wreath will be laid outside Stoke Newington station for four people who have died in suspicious circumstances in Hackney's police stations in the last 20 years.

*Time Out* has obtained a copy of the HCDA 15-page submission to the Home Secretary detailing ten cases of alleged police violence and brutality.

The most recent is that of a black couple, Hazel Bruno-Gilbert and Audrey Harrison. Last November they were acquitted at Highbury Corner Magistrates court of assaulting police officers and obstructing the police in the course of their duty.

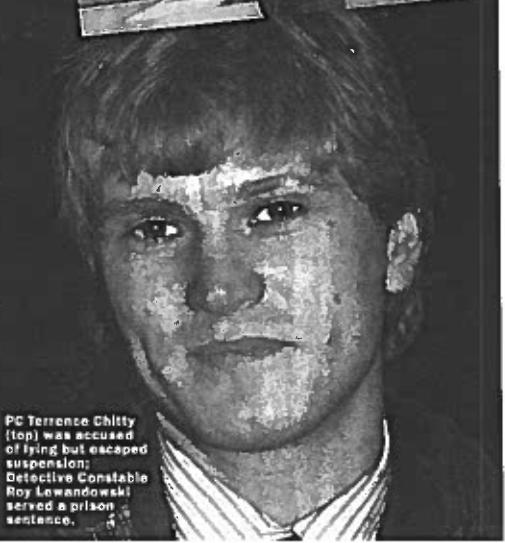
The court heard that the couple had originally gone into Stoke Newington station in May last year to report an incident they had witnessed in which they alleged police officers attacked a member of the public.

The duty officer refused to take their statement and when they announced they would go to another police station to file their complaint, they were assaulted and then charged. Following the experience, they now intend to sue the Metropolitan Police.

According to Debbie Triplett, a solicitor specialising in Stoke Newington Legal Aid cases, a similar incident occurred at the neighbouring Hackney Station when a client of hers went there last year to inquire about a friend arrested for 'immigration reasons'. The court heard that the police became aggressive and ended up charging him with violent assault. He was convicted, but acquitted on appeal.

Down in Dalston, opposite the vibrant multi-cultural Ridley Road market, there is an old-style pie and mash shop. In the window they prepare the traditional cockney delicacy, jellied eels. They are pulled live from a barrel, their heads are cut off, leaving their bodies still squirming on the zinc counter.

Whether the PCA recommendations will only succeed in lopping off a small part of the police corruption and power abuse which has plagued Hackney for so long, leaving the substance of the problem untouched, will soon become clear.



PC Terrence Chitty (top) was accused of lying but escaped suspension; Detective Constable Roy Lewandowski served a prison sentence.

PHOTOGRAPH BY DAVE MCKEE

Howard retreats on police shake-up  
as Mackay scraps magistrates plan

# Revolt wrecks legal reform

Alan Travis  
Home Affairs Editor

**T**HE Home Secretary, Michael Howard, was forced into retreat yesterday on two key parts of his law and order shake-up in the face of mounting rebellion from the heart of the Conservative Party.

The climbdown over his plans to place police authorities, which appoint chief constables and set their budgets, directly under Home Office control was coupled with a surprise announcement from the Lord Chancellor, Lord Mackay, that he was abandoning plans to shake up the running of magistrates courts.

Both measures prompted an unprecedented level of opposition from senior judges, magistrates, chief constables, police officers and local government.

The campaign reached a climax in the Lords last month when three former home secretaries, including Lord White, and the Lord Chief Justice, Lord Taylor, combined to deliver a body-blow to measures contained in the Police and Magistrates Courts Bill.

The veteran Lord Hooson described the attack as the "greatest blitzkrieg" faced by any piece of legislation in 30 years.

One of the most senior judges, Lord Woolf, added a further tweak to Mr Howard's ear last night when he warned that the rise in the prison population would hinder the campaign to cut crime.

The terms of Mr Howard's retreat over his plans to take Home Office control of the police committees satisfied Lord Whitelaw, who said he would vote for the measure when it returns to the Lords in a fortnight.

But senior policemen and local government leaders said it had allayed only some of their fears, as Home Office appointees could still command a majority on the local bodies.

Mr Howard has already had to navigate one U-turn since he became Home Secretary last May, when he had to shelve parts of Sir Patrick Sheehy's recommended shake-up of the police in the face of opposition, including a 20,000-strong Wembury rally by police officers.

The Sheehy inquiry had been set in train by his predecessor, Kenneth Clarke, as were the police measures at the centre of yesterday's climbdown. But his handling of what had been billed as "the most radical

shake-up of the police in 30 years" left some Tory MPs talking down his future prospects.

"Mr Howard's compromise drops the proposal for him to appoint the chairman of the police authorities. That decision will now be in the hands of the authorities themselves."

He has also dropped plans to limit the maximum number of police authority members to 16. The authorities now have up to 42 members.

However, he has preserved his plan to ask a panel of two lord lieutenants and a professional recruitment consultant to appoint new Home Office nominees to the committees. They will make up a third of the membership of the new bodies, but their appointment will be subject to parliamentary approval.

The Lord Chancellor's climbdown was even more complete as he announced that he was abandoning plans to introduce fixed-term contracts and performance-related pay for magistrates court clerks and for the approval of their appointment by his office.

The shadow home secretary, Tony Blair, described the decisions as "a humiliating retreat forced on the Home Secretary through pressure, not a genuine change of heart. It leaves him with a policy that now has no consistent rationale."

"Many of the most obnoxious elements remain, and he is left in the absurd position of having conceded that it is wrong for the Home Secretary to appoint chairmen of the police authorities, but still maintaining it is right to appoint one-third of members, set priorities and amalgamate them irrespective of the wishes of local people."

Sir John Smith, president of the Association of Chief Police Officers, echoed some of Labour's concerns. "The effect of a number of other measures in the Bill remains the same — to undermine the traditional independence of chief constables and therefore of the police."

Both the police and local government were concerned that there would still be a 50:50 split between elected councillors and government appointees on the new bodies.

Ian Lowry, of the Association of County Councils, said he was pleased that police committee chairmen were not to be parachuted in by the Home Secretary, but warned the new bodies still had the potential to operate as Whitehall quangos.

More climbdowns ahead, page 2; Leader comment, page 21

GUARDIAN

3.2.94

Woolf warns the Government of disaster in fight against crime if prison population is allowed to increase

# Jail riot judge attacks 'get tough' policy

Alan Travis  
Home Affairs Editor

**L**ORD Woolf, who headed the inquiry into the Strangeways riots, yesterday warned the Government that the "corrosive influence" of jail overcrowding was once again eating away at the effect of recent reforms in the prison system.

He told the House of Lords that there are now 11 local prisons, mainly in the North-west, where the prison population is more than double the official capacity.

The intervention of one of the

most senior judges in the debate on Home Secretary Michael Howard's law and order policies comes as the prison population has surged by 1,300 in the past month to 47,090 — just within the official capacity of the prison system. Unpublished Prison Department projections predict a further rise to 49,000 to near record levels next month.

The former Conservative Home Secretary, Lord Carr, warned Mr Howard that allowing the prison population to rise would prove "a disaster" which would "put back the attack on the crime wave to a serious extent". Lord Woolf

said the Government had abandoned the need to preach to the courts to use restraint in the use of prison, particularly for minor offenders.

"For the majority of offences prison is an immensely expensive process and should be reserved only for those for whom it is appropriate. As a result of the change in climate the importance of avoiding custody where it is inappropriate to do so has been forgotten."

The increase in the prison population is an expensive way of making the criminal justice system even less effective."

Overcrowding had led to moving prisoners miles from

their families in a way that was difficult to defend. "We are building up a significant number of prisoners who have a justifiable grudge against the prison department who have made them move so far from home." Lord Woolf attacked the "get tough" climate in which 20,000 fine defaulters served short sentences last year, with a few months added to the sentences of minor offenders.

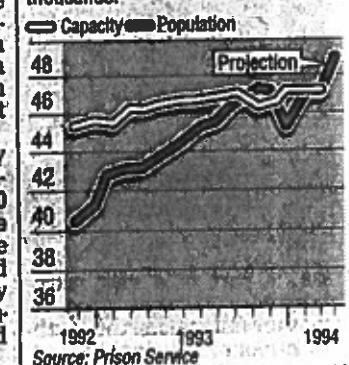
The immense cost of the exercise was being paid for in the closure of bail hostels, in cutting payments to the victims who suffered criminal injuries and postponements of the programme to end slopping-out.

Lord Carr said prison was the "most expensive and least effective means of deterring criminals". He appealed to the Government to avoid an increase in the prison population until adequate accommodation was available: "If the position gets worse, not better, that would be a tragedy."

Mr Howard said yesterday that resources were being diverted to create an extra 2,000 prison places. As a result the Government would not be able to meet its commitment to end slopping out for all prisoners by the end of this year. The programme will now be completed by February 1996.

## Overcrowding

Prison population, England and Wales, thousands.



Source: Prison Service

# Howard faces further U-turns on law and order changes

**Alan Travis** on the powerful dissent provoked by the 27-point package unveiled by Home Secretary at the Tory Party conference

**T**HE retreats announced yesterday by Michael Howard on his plans for police authorities and magistrates' courts are only the first of a series of likely climbdowns over his 27-point law and order package, unveiled at the Con-

servative Party conference last October.

The most immediate is over the Home Secretary's proposal to abolish the right to silence for suspects; but ministers also face strong opposition from the legal establishment and other

key parts of the criminal justice system to a range of plans in his interlocking package.

□ **The right to silence:** Ministers are already considering whether to abandon plans to insist that judges directly challenge defendants who remain

silent in court to go into the witness box or explain their refusal to give evidence. The Lord Chief Justice, Lord Taylor, has condemned this as drawing the judge into a partisan role in the courtroom with "undesirable and unfair results".

On Tuesday the Police Federation joined the Law Society and Bar Council in criticising the proposal to allow juries to infer guilt from a refusal to answer questions from the moment of arrest. The federation supports the abolition of the right to silence, but only where it relates to a refusal to answer questions during recorded interviews in the police station.

□ **Prisons:** The Home Secretary's insistence that "prison works" in deterring offenders has been attacked by senior judges, prison governors and penal reformers. His abandon-

ment of attempts by previous home secretaries to contain the rise in the prison population by expanding punishments in the community has been repeatedly criticised.

A new problem has recently emerged with private prisons. The contractors who are expected to build six new jails have expressed doubts about the security of their contracts if a Labour government is elected in the next three years.

□ **Abolition of the right to elect a jury trial:** This proposal has proved so controversial within Whitehall that Mr Howard has yet to say publicly that he will press ahead with it. He is at odds with the Lord Chancellor over the measure, which is designed to save court costs.

□ **Police discipline:** The police staff associations, after their partial victory over the

Sheehy inquiry into pay and performance, are preparing to fight Mr Howard's plans to reform the police disciplinary procedure so that more officers are held to account for their actions.

Mr Howard has been more successful with other aspects of his 27-point plan. His scheme to cut police paperwork has been warmly welcomed, as have pilot schemes for parish constables.

It is also expected that his plans to take action against "bail bandits", to introduce new stop and search measures and to introduce new public order powers against squatters, new age travellers, protesters and hunt saboteurs will get through Parliament unscathed. However, he is likely to face challenges in the European Court of Human Rights on these issues by Liberty.

3.2.94  
GUARDIAN



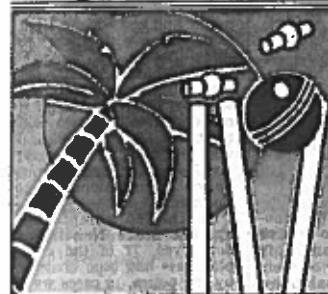
TONIGHT'S WEATHER: WINDY

CITY PRICES

# Evening Standard

LONDON, THURSDAY, 3 FEBRUARY, 1994

INCORPORATING THE EVENING NEWS 30p



## WIN A DREAM TRIP TO SEE BARBADOS TEST

SPECIAL ENGLAND TOUR SUPPLEMENT STARTS PAGE 33



## WIN WITH OUR GREAT NEW GAME

SEE BACK PAGE FOR TODAY'S LUCKY NUMBERS

# MET SCANDAL: CHARGES SOON

Police face new inquiry call over alleged drugs and theft corruption

By GERVASE WEBB, Crime Reporter

THE HOME Secretary was being asked today to order a judicial inquiry into the most serious allegations of corruption to hit the Metropolitan Police for two decades.

The allegations against nearly 50 junior officers at Stoke Newington and Hackney involve drug dealing, theft and conspiracy to pervert the course of justice.

The call to Michael Howard from the Hackney Community Defence Association comes as the Police Complaints Authority announced it had completed its supervision of Operation Jackpot, the investigation set up by Scotland Yard into the allegations three years ago.

That report has been passed to the Crown Prosecution Service and a decision on possible legal action is expected within the next few days.

During the investigation, three officers at Stoke Newington were suspended and eight were moved to other divisions, while one shot himself.

But there are fears that the CPS case, which has been put together by a team of lawyers specialising in complaints against the police, will lead, at most, to a handful of sackings and convictions.

Sources within the CPS have indicated that perhaps nine officers of the rank of constable and detective constable could face action, with insufficient evidence to bring a case against another 36 officers investigated.

To pre-empt the CPS decision, the Hackney Community Defence Association is seeking a formal judicial review of policing in London's poorest borough, where relations between the Met and the local community have virtually broken down and where police morale has plummeted as a result of the allegations.

The defence association wants the review to be held in

Continued on Page 2 Col 6

## Scandal

Continued from Page 1

public and headed by a High Court Judge with powers to call witnesses.

Mr Graham Smith, for the association, said it had dealt with 381 complaints against officers from the two stations since January 1989 and was supporting 83 civil actions against Metropolitan Police Commissioner Paul Condon.

Of the 90 complaints against Stoke Newington detectives, 77 of the complainants had been charged by the police, 18 cases were dropped when the CPS offered no evidence, 22 were acquitted, 35 convicted and two were still waiting to appear.

There have been 11 successful appeals against conviction, with a further 16 still waiting to be heard.

The Police Complaints Authority, in a wordy but non-committal statement today, says that the complaints against the police cover 134 specific allegations.

More than half of these are for planting drugs on suspects.

Scotland Yard has so far declined to comment on the PCA report or the call for a judicial inquiry by the Hackney defence association. It is understood, however, that senior officers are far from happy about the anodyne nature of the PCA report and the limited recommendations of the CPS.

And in Stoke Newington itself, rank and file officers are bitter and angry that their reputation has been severely tarnished by the alleged activities of a few highlighted by the CPS.

# The Guardian



Residents demonstrate over policing in Stoke Newington yesterday. Their defence association is handling 83 complaints against officers. PHOTOGRAPH: MARTIN ARGLES

## DPP considers charges against 45 police officers

David Pallister

**T**HE Director of Public Prosecutions is expected to announce next week how many of the 45 north London police officers named in a report into alleged corruption will be charged with criminal offences.

The Police Complaints Authority report, which has taken nearly three years to compile, details 134 complaints against the officers at Stoke Newington in Hackney. A final copy was sent to the DPP, Barbara Mills, yesterday, but she has been receiving individual case reports since November 1992.

The completion of Operation Jackpot — described by senior Scotland Yard officers as the most serious investigation into police corruption for 20 years — failed to satisfy the local community organisation campaign-

ing against policing practices in the area. Graham Smith, secretary of the Hackney Community Defence Association, said police crime in Stoke Newington continued unabated. He called on the Home Secretary, Michael Howard, to order a judicial inquiry.

"The Home Secretary should use Hackney as a test case in policing gone wrong and appoint a senior judge to investigate," he said. "Relations between the police and the community have broken down."

"The inquiry seems to have had no effect on policing in Stoke Newington. We took up 57 new complaints against the police last year. At the centre of this whole business is the drugs trade. They have not been policing it; they have been controlling the drugs market."

Mr Howard said he would consider all requests.

In a statement announcing

the end of its inquiry the complaints authority said the 134 complaints covered 22 cases, including 61 allegations of planting drugs, plus allegations of conspiracy to pervert the course of justice, theft and assault. Most of the officers were constables or detective constables.

Defending the time taken for the inquiry, the authority said some complainants had been reluctant to co-operate. The community association said this was because people did not trust the complaints procedure. It is supporting 83 civil actions against the police.

Since Operation Jackpot began in April 1991, one officer has been jailed for 18 months, four have been suspended, eight transferred to other stations and several removed from the local drug squad.

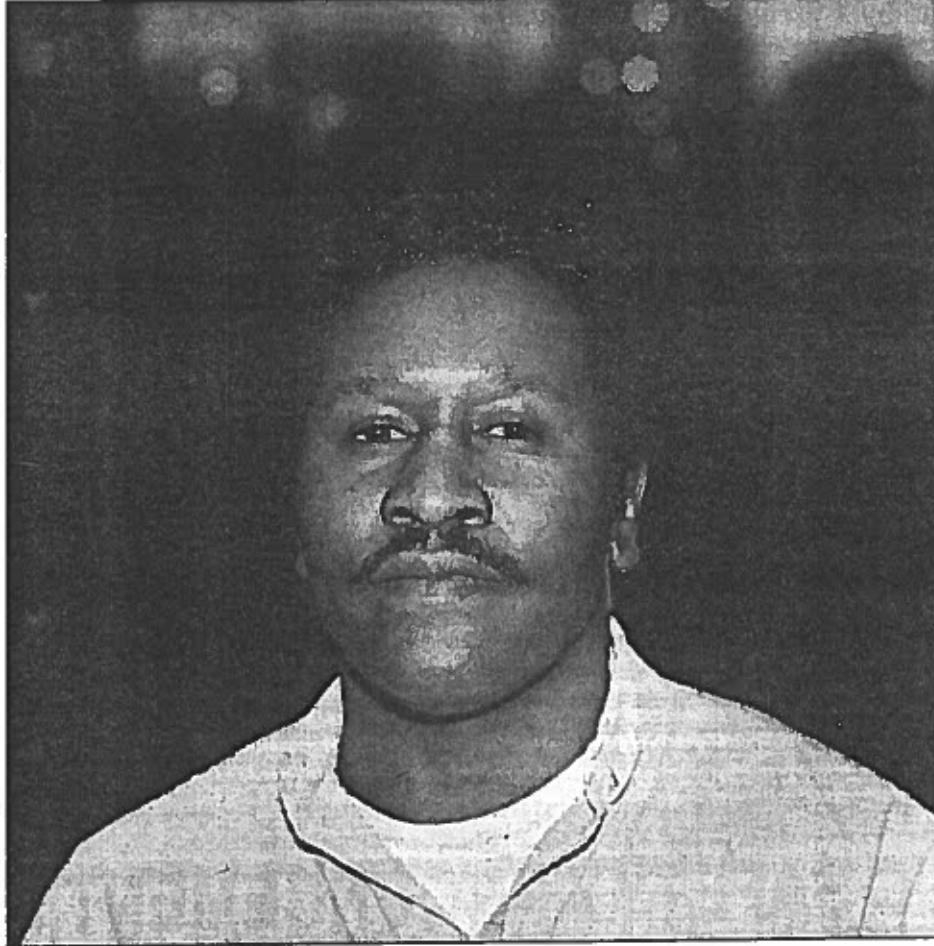
The inquiry has affected court cases involving Stoke

Newington. According to association figures, in 90 cases where allegations against the police have been made between December 1988 and November 1992, there have been 11 suc-

cessful appeals, 22 acquittals, and 18 where no evidence was offered.

Corruption claims 'the worst in 20 years', page 3

4.2.94



Rennie Kingsley and Ida Oderinde, whose convictions were quashed; Det Con Roy Lewandowski, jailed for 18 months; and Benny Wilson, bringing an action for false imprisonment and false arrest

## Corruption claims 'the worst in 20 years'

**Duncan Campbell on Operation Jackpot, the inquiry into a London police station which examined 134 complaints against 45 officers**

**T**HE Operation Jackpot inquiry into what senior Scotland Yard officers have called the most serious allegations of police corruption for 20 years began almost three years ago after suggestions that police in Stoke Newington, north London, were involved in corrupt practices involving drug dealers.

Headed by Detective Superintendent Ian Russell, regarded as one of the Yard's more astute detectives, the inquiry was intended to report by June 1992. But as fresh cases emerged and further complaints were made, it continued for a further 20 months.

Central to the investigation — first reported by the Guardian — were two women, Pearl Cameron, originally from Jamaica, and Ida Oderinde, originally from Nigeria. Ms Cameron dealt in drugs from the back window of her home in Sandringham Road, the focal "front line", and was a friend of Ms Oderinde, who had convictions for shoplifting.

Both women claimed after their arrest on drugs charges that Stoke Newington police were not only aware of drug dealing activities but allowed them to take place. Both women were interviewed by the Jackpot team.

At the same time Customs and Excise was investigating a local police officer, Detective Constable Roy Lewandowski, a drugs squad member who had received commendations and had been injured in drugs raids.

Mr Lewandowski was a long-

haired, outgoing young detective who had been the exhibits officer in a manslaughter case in which the victim, a recluse called David Berman, had been tied up by burglars. The inquiry led to charges of alleged VAT fraud connected to local Turkish arcade owners — which were eventually dropped — and of stealing valuable books from Mr Berman's property.

Mr Lewandowski was jailed for 18 months at Harrow crown court in November 1992. Meanwhile a series of other complaints against Stoke Newington police were being investigated, almost all involving the

alleged planting of drugs on people from a Jamaican background. As a result of evidence which has emerged during the inquiry, more than 30 people have either had their convictions overturned or sought leave to appeal.

Last March, Ida Oderinde, Rennie Kingsley, Dennis Tulloch and Everard Brown had their convictions quashed by the Lord Chief Justice, Lord Taylor.

The Crown counsel, Kenneth Aylett, said they had been convicted on the word of officers "about whom there are serious doubts as to their reliability as witnesses of truth".

The previous month, the two men convicted of Mr Berman's manslaughter, James Blake and Francis Hart, had had their convictions quashed.

In all, 11 convictions have

been quashed by the Court of Appeal, and Lord Taylor has been increasingly perturbed at the length of time the inquiry has taken. At one appeal he suggested that "dynamite" should be put under the Police Complaints Authority. The authority says it has been hampered by constant new allegations and a heavy workload.

By the beginning of this year, 90 complaints had been made about the Stoke Newington station to the Hackney Community Defence Association, a pressure and advice group which has logged the cases and advised complainants. Of these, 22 have resulted in acquittals, 35 in convictions, 11 in successful appeals, and 18 await the hearing of appeals. In 18 cases the Crown Prosecution Service offered no evidence. There are also 23 civil actions pending.

Mr Lewandowski, now released from jail, has made a statement for one of the civil litigants, Benny Wilson, in which he alleged that detectives had pocketed drugs from raids, taken money for dishonest work and planted weapons and drugs. Mr Wilson, who was charged with possession of firearms and drugs, is bringing an action for false imprisonment and false arrest. The charges were dropped, but he was held in custody for six months.

In all, Operation Jackpot has looked at 22 cases involving 134 complaints against 45 officers. These have included allegations of planting drugs, conspiracy to pervert the course of justice, theft, assault and one case of criminal damage.

Stoke Newington police, now headed by Chief Superintendent Niall Mulvihill, complain that their work against often violent crack dealers has been seriously hampered by the allegations and that some arrested

dealers now specifically ask to be taken to the station because they think its reputation will lead juries to believe their allegations about corruption.

The police attitude has been that there was indeed one corrupt officer, but he has been punished. They say drugs operations now use expensive video evidence of dealers' activities because it has become increasingly difficult to obtain convictions on the word of officers.

Graham Smith, of the community defence association, said: "Operation Jackpot has been unsatisfactory on all levels. Its terms of reference were too limited and it has taken far too long. The inquiry raises serious questions about police complaints investigations.

"Where there has been a breakdown in police community relations, internal police

complaints investigations cannot succeed because the police investigate themselves behind closed doors and the community will not talk to the police. A judicial inquiry is the only possible forum in which police and community can inform each other of existing problems."

In an interview with the Guardian last month, the Metropolitan Police Commissioner, Paul Condon, said that he was aware that no one would be satisfied with the inquiry, with one side feeling that not enough had been done and the police feeling that they had been the victims of "malicious slurring".

Mr Condon hoped that the end of the inquiry would draw a line under the allegations. But with many civil actions and appeals pending, Operation Jackpot may be making a few pay-outs yet.

### Complaint against Stoke Newington police led to couple being arrested

**I**N THE early hours of May 16 last year, Audley Harrison and his girlfriend, Hazel Bruno-Gilbert, went to Stoke Newington police station to complain that they had seen officers jump out of a van and assault a man sitting at a bus stop, writes David Pallister.

According to Mr Harrison, aged 22, officers at the station refused to take a statement. And when Ms Bruno-Gilbert, 27, announced that she was going to Hackney police station instead, she was arrested. Both claim they were assaulted.

On November 18, they were acquitted at Highbury magistrates' court of assaulting

police officers and obstructing the police. They plan to sue the Metropolitan Police Commissioner. None of the officers involved has been suspended.

Mr Harrison said yesterday: "The police officers who gave evidence against us were disbelieved by the court. We believe that police officers who are discredited should be held responsible for their actions and immediately suspended. We were good citizens. We saw an incident, we reported it and we ended up being arrested. The way Stoke Newington police have behaved has destroyed our confidence in the police."

Stoke Newington police, now headed by Chief Superintendent Niall Mulvihill, complain that their work against often violent crack dealers has been seriously hampered by the allegations and that some arrested

Officers in north-east London alleged to have sold cocaine and planted evidence

# Police could face criminal charges after drugs inquiry

UP TO 10 police officers have been recommended for criminal charges following a marathon investigation into allegations of drugs trafficking, planting evidence and perversion of justice by police at Stoke Newington in north-east London.

The officers are among 45 investigated by the complaints bureau of the Metropolitan Police in a three-year inquiry which followed accusations that a detective constable was involved in selling cocaine through an intermediary.

In a statement yesterday signalling the end of the inquiry — one of the largest of its type and the biggest in London since the late 1970s — the Police Complaints Authority said 22 files had been passed to the Crown Prosecution Service.

At the same time, the Hackney Community Defence Association, which represents most of the complainants, delivered a dossier to Michael Howard, the Home Secretary, stressing its unhappiness with the investigation and calling for a judicial inquiry into policing in the multiracial, deprived area. Mr Howard said he would consider the matter "very carefully".

Although the formal end of the inquiry came yesterday, the first of the 22 files went to the CPS in November 1992 and the last in September 1993; further police investigations have since been conducted into points of detail. The CPS is understood to be ready to announce its decision on charges "within a few weeks".

The central allegation of Operation Jackpot was that one officer — named in a court as "Officer X" — was receiving £1,000 a month from a Stoke Newington woman who was selling crack on his behalf. This officer and others were also said to have planted drugs on suspects.

A total of 22 complainants eventually made more than 130 separate allegations naming 45 officers. In addition to those of drugs dealing, 65 allegations were of planting drugs or other evidence, 27 of conspiracy to pervert the course of justice, 27 of theft, and 9 of assault.

During the inquiry, eight officers were moved to other stations and three suspended from duty. The authority said two officers had 11 specific allegations made against them, two more had 10 and one had 8. Of

TERRY KIRBY  
Crime Correspondent

the remainder, 18 had between two and six allegations each, and 22 officers had one allegation each. Most of the officers were uniform or detective constables.

Detective Superintendent Ian Russell, the officer who conducted the inquiry, is understood to have recommended charges against about 10 officers at the core of the affair, although more could face disciplinary action later.

However, the CPS has been criticised in the past, particularly in the West Midlands Serious Crime Squad affair, for failing to bring charges, despite recommendations from investigating officers.

Calling for a judicial inquiry yesterday, the Hackney association said it had dealt with 381 complaints against officers from Hackney and Stoke Newington stations since January 1989, and was supporting 83 civil actions against the Metropolitan Police.

Eleven people have had convictions quashed because of doubts about the reliability of evidence given by officers under investigation; a further 16 are waiting to be heard. A large number of prosecutions have also either collapsed or resulted in acquittals because of doubts about the reliability of police evidence.

Sir John Smith, Deputy Commissioner of the Metropolitan Police, said although the allegations involved a "significant" number of officers, they represented only a tiny minority of the 28,000-strong force. He said that in Stoke Newington there were "over 300 police officers who are doing a difficult and sometimes dangerous job in that difficult policing environment. The vast majority are untouched by the allegations."

He added: "Anybody who is aware of the way we feel about policing, about the way we go about our work, realises that corruption is something which none of us would condone. The bulk of police officers in London today are very, very concerned about any allegation of corruption. We are ardent in our resolve to stamp it out and we will do just that."

INDEPENDENT

## Stoke Newington Police Station



A girl inspects a wreath laid by campaigners outside Stoke Newington police station where 130 complaints have been made against officers

Picture: Tiddy Maitland Titterton

# Station where police are suspects

ONE of the biggest police corruption inquiries since the 1970s has looked at allegations of malpractice against 45 officers from a station in north-east London, it emerged yesterday.

More than 130 individual complaints against junior detectives and uniformed officers at Stoke Newington have been investigated in a three year inquiry, codenamed Operation Jackpot.

Allegations included planting drugs on suspects, assault, theft, conspiracy to pervert the course of justice and criminal damage. More than 50 allegations related to just five of the 45 officers.

The Police Complaints Authority, who supervised the investigation, said a report had been sent to the Crown Prosecution Service.

It would be up to them to determine if officers would be prosecuted, after which Scotland Yard would decide on disciplinary charges.

Operation Jackpot, which began

## 45 officers accused in corruption inquiry

in April, 1991, was prompted by the claims of Pearl Cameron, a convicted drug dealer, who said she had evidence that certain Stoke Newington officers were dealing in drugs.

In the following months, dozens of people arrested for dealing drugs, including crack cocaine, came forward to claim they had drugs planted on them by detectives from the station.

By early 1992, three officers had been suspended and eight transferred.

One officer central to many allegations was Det-Con Roy Lewandowski, who was eventually charged with stealing valuables from the home of a man who died after a burglary at his home.

He was also accused of planting evidence from the burglary scene on two men, who were later convicted. Lewandowski was jailed for

By Nell Darbyshire  
Crime Correspondent

18 months in November, 1992, and the two men convicted on his evidence were freed last February.

Since then another nine people, almost all imprisoned for drug offences on evidence by Lewandowski and some of his colleagues, have had their convictions quashed.

After the most recent appeal in December, Lord Taylor, Lord Chief Justice, described police evidence as "tainted evidence from a source which ought to be reliable and in which the courts should have confidence".

In all, Jackpot investigated 22 separate cases. Two others were dropped, one because the complainant decided to take out a civil action and the other because allegations were withdrawn. One offi-

cer featured in eight cases, another in seven and three in six, while two officers had 11 specific allegations against them.

During the investigation, the inquiry team took 376 statements and examined transcripts of police interviews, custody records and court proceedings.

The complaints authority said a difficulty facing the inquiry was the "limited co-operation" given by complainants.

The first complaint was in September, 1991, and the last in August last year, which is why the inquiry was so protracted. Three complaints were made two years after incidents to which they related.

"Whatever the reason for these delays, they did not assist the investigation," said an authority spokesman.

An organisation calling itself the

Hackney Community Defence Association has given advice and support to many complainants and has built up its own dossier against officers at Stoke Newington and Hackney.

The association had dealt with 381 complaints against officers from the two stations since January, 1989, and was supporting 83 civil actions against Metropolitan Police Commissioner Paul Condon.

Sir John Smith, deputy commissioner of the Metropolitan Police, said the Jackpot allegations were serious and involved a "significant number of police officers" — but only a tiny minority in the force.

In Stoke Newington, there were "over 300 police officers doing a difficult and sometimes dangerous job in that difficult policing environment. The majority are untouched by the allegations."

Sir John said Stoke Newington police had recorded some remarkable successes in the battle against local drug dealing.

DAILY

TELEGRAPH

4.2.94

**Allegations include assault, theft, racial abuse and the planting of evidence**

# Police corruption probe implicates 45 officers

By EDWARD GORMAN

A POLICE enquiry into allegations of police corruption in north London has implicated 45 officers in a total of 134 incidents, involving theft, the planting of drugs and conspiracy to pervert the course of justice.

The disclosure provoked calls for an independent judicial enquiry into the activities of police officers based at Stoke Newington in the borough of Hackney amid criticism of what is seen by local campaigners as another example of the inadequate system of police being called upon to investigate their own kind.

Operation Jackpot was launched in April 1991 after the Metropolitan police received information about the activities of a police officer based at the now notorious Stoke Newington police station in the heart of one of London's poorest areas, where unemployment, crime and drug-dealing are rife.

Officers at the station had been the subject of persistent claims of involvement in taking drugs from dealers—including crack cocaine—and reselling them, planting drugs on suspects and fabricating evidence. The claims have already resulted in one officer being jailed for theft and eight others transferred; three of whom were later suspended.

The investigation was led by Det Supt Ian Russell and

■ Victims of alleged police corruption in Hackney say that they will be satisfied with nothing less than a judicial enquiry



Smith: has no faith in enquiry procedure

supervised by William McCall, of the Police Complaints Authority (PCA), which yesterday announced its completion. Mr Russell's reports are now in the hands of the Crown Prosecution Service, which is to decide whether any officers should face prosecution.

The Jackpot team considered 24 separate cases after sifting through a mass of evidence in the form of interviews and custody records, reports of court proceedings, and 376 statements taken by

investigating officers. Of the 24 cases, 22 were the subject of 134 complaints or allegations against police officers at Stoke Newington.

The PCA said 65 of the allegations were connected with the planting of drugs or "evidence" on suspects; 27 involved conspiracy to pervert the course of justice; 27 concerned theft; and nine were of assault. Six other allegations were not specified.

The investigation implicates 45 officers, almost all of whom are drawn from the uniformed ranks of constable and detective constable. However, 22 of the officers are the subject of only one allegation. A small group, thought to include the eight officers transferred from Stoke Newington in January 1992, are connected with many of the complaints.

The PCA said it was very happy with the way the enquiry had been conducted. Officers on the Jackpot team had investigated "to the maximum extent possible in the circumstances". But it also pointed out that some complainants had given limited co-operation and the very lengthy delays in some cases before complaints were made.

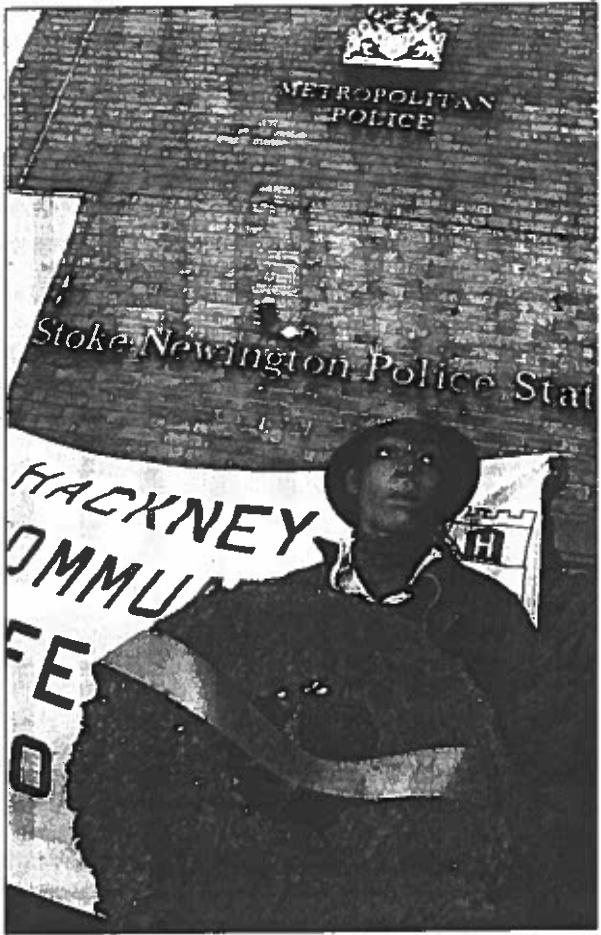
Claims made in Stoke New-

ington yesterday that the CPS had rejected an original version of the report last summer and asked for further work by the investigating team were vigorously denied by Richard Offer, spokesman for the PCA. He said it was the PCA itself that had asked for further work to be carried out by Mr Russell's team. "Mr Russell submitted a report to us. We then asked for more work on some files," he said.

However, at the Hackney Community Defence Association, which has led the battle for justice in the borough and has recorded 381 cases of alleged police abuses, there was scepticism about Jackpot. Graham Smith, for the association, said he did not expect many prosecutions. "We're expecting a handful at most of minor charges, because we have no faith in this procedure," he said. "It's all geared towards maintaining the credibility of the police station and challenging the credibility of the complainants."

Mr Smith said the only satisfactory way to clear the air was an independent judicial enquiry, something also called for by Brian Sedgemore, Labour MP for Hackney.

"It is quite apparent, when you have a breakdown in police/community relations, that it is pretty pointless to have a police internal investigation to sort it out," he added.



Pamela Simms, a leading local campaigner, makes her point yesterday

**Yard comment, page 1**

Egyptian song, page 3

## 45 London police face corruption allegations

By EDWARD GORMAN AND STEPHEN TINDALE

A DOSSIER naming 45 police officers was passed to prosecution lawyers yesterday by the Police Complaints Authority. Six of the officers are accused of selling seized drugs and 123 other allegations include planting drugs, theft, conspiracy to pervert the course of justice and assaults during arrests.

Sir John Smith, deputy commissioner of the Metropolitan police, said Scotland Yard faced the most serious corruption claims for 20 years. The Operation Jackpot allegations centre on junior officers working at Stoke Newington, northeast London, and police relationships with one of the capital's largest drug-dealing areas. Sir John, the Yard officer in overall control of discipline, pointed out that the allegations were not criminal charges. But charges for at least some officers are expected to be brought within weeks. Other officers could face disciplinary action from the Yard.

The allegations mainly involve constables and some sergeants. Nothing on this scale has been seen in London since the 1970s, when the Metropolitan police was dogged by allegations involving CID squads. The enquiry was supervised by the complaints authority, and Sir John said Operation Jackpot was not yet over.

# Drug-dealing tops charge sheet in Operation Jackpot

Mr Wilson, home, Mr Wilson is setting a civil action against the police and was interviewed by the detectives working on Operation Jackpot.

Another victim is Ida Odemba, a Nigerian-born mother of three who was sentenced to four years in jail for heroin-dealing in 1991 when her young son child was held by a few months old.

During her trial, Mrs Odemba alleged that she had witnessed a friend of hers who works as a known dealer of crack cocaine being given a bag of the drug by two police constables.

Two police officers who claimed at Mrs Odemba's trial that they had found her in a disused fridge in her home, were later suspended for perjury.

Mrs Odemba was cleared on appeal in March last year after Lord Taylor of Gosforth, the Lord Chief Justice, was told that the Crown Prosecution Service accepted that evidence from the police officers was unreliable.

A more recent case, which occurred last November, illustrates what campaigners in Newington claim is typical of a racially motivated assault: a black couple who witnessed a mentally ill man being beaten by police officers ended up being assaulted themselves when they went to report it.

Hazel Bruno-Gilbert and her fiance Audley Harrison were returning from a party early in the morning when they saw the incident at a bus stop. The couple went to Stoke Newington police station to report the incident, but police officers refused to accept what Ms Bruno-Gilbert said. After she told them she would go to Hackney police station instead, there was a struggle and the couple were charged with obstruction.

The case against Ms Bruno-Gilbert and Mr Harrison was later thrown out by magistrates in Highbury, north London.



Wilson: asked to plant grain.

When he was eventually off- fended bail, he could not afford the £50,000 in cash that was required.

He launched a campaign to protest his innocence, and enlisted the help of the British pressure group Liberty and the International Commission of Jurists, Justice. After six months, the charges against him were thrown out.

A former officer based at Stoke Newington, Roy Lewin- dowski, who has served an 18-month prison sentence for theft, has since told Mr Wilson that another officer at the station had asked him to help plant a sawn-off shotgun at

Mr Wilson's home that the officers would quickly realise their mistake were dashed when the police proceeded to produce plastic packets that he had never seen before from a kitchen cabinet and then a sawn-off shotgun and ammunition.

Mr Wilson was then informed that he was being arrested in connection with a robbery and for possession of a pistol and a shotgun. He also faced 12 other charges including possession of cocaine, amphetamines and cannabis and offences connected with cheque fraud.

Mr Wilson was held at Pentonville prison in north London and was refused bail.

By A STAFF REPORTER

THE offence allegedly committed by some police officers based in Stoke Newington, which were investigated by Operation Jackpot, include:

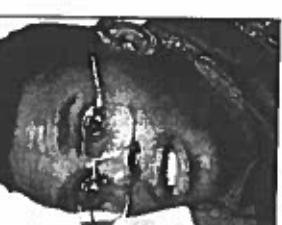
- Planting drugs on known dealers to obtain convictions and thus to give their own dealers less competition;
- Planting drugs on people who were not involved in dealing to help to improve the clean-up record;
- Soliciting bribes from known drug-dealers to help them to escape prosecution;
- Regularly assaulting and racially abusing black suspects.

A typical victim of the corrupt practice alleged against some Stoke Newington police is Benny Wilson, a 43-year-old voluntary care worker originally from Jamaica. In January 1991 Mr Wilson, who had a record of trouble with the law when he was young, was working as a disc jockey at a club. When he returned home one morning that month after dropping his daughter, at school, police raided his home and handcuffed him.

Mr Wilson's hopes that the officers would quickly realise their mistake were dashed when the police proceeded to produce plastic packets that he had never seen before from a kitchen cabinet and then a sawn-off shotgun and ammunition.

Mr Wilson was then informed that he was being arrested in connection with a robbery and for possession of a pistol and a shotgun. He also faced 12 other charges including possession of cocaine, amphetamines and cannabis and offences connected with cheque fraud.

Mr Wilson was held at Pentonville prison in north London and was refused bail.



Harrison: magistrates threw out charges

# NICKED

## 45 cops at one station

### accused of drug deals,

### beatings and race abuse



PROBED: Stokey Cokey nick

FORTY-FIVE police officers were facing prosecution last night after Britain's biggest corruption inquiry for 20 years.

The officers - who have all been based at Stoke Newington station in London - are named in a shocking catalogue of allegations including drug dealing, theft and assault.

The report, which has taken three years to compile, was handed over to the Crown Prosecution Service last night. The CPS will now decide what charges to bring.

The investigation - codenamed Operation Jackpot - implicated 45 police officers in 134 incidents.

They included allegations of planting drugs, conspiracy to pervert the course of justice, theft, assault and one case of criminal damage.

Most of the complaints were against uniformed and detective constables.

One officer featured in eight cases and two others had eleven allegations against them.

#### Fortunes

Sir John Smith, deputy commissioner of the Metropolitan Police, said the serious allegations involved a "significant number of police officers" - but only a tiny minority of those in the force.

He said: "We are ardent in our resolve to stamp out corruption and we will do just that."

Operation Jackpot, investigated claims that corrupt cops:

EARNED fortunes operating their own drug dealers.

FRAMED dealers who were in competition with their pushers.

PLANTED drugs on innocent victims to boost their image as crime-busters.

ASSAULTED and racially abused suspects.

#### Suspicion

The inquiry started after Sergeant Gerry Carroll went into a cell at Barkingside police station in January 1992 and blew his brains out with a revolver.

He had served at Stoke Newington station - nicknamed Stokey Cokey - for six years.

On the day he died eight officers were transferred under a cloud of suspicion.

Three were later suspended.

The inquest into

Sergeant Carroll's death decided he had killed himself to escape constant ringing in his ears, brought on by a punch years before.

But Labour MP Brian Sedgemore said that Sergeant Carroll's funeral looked more like one being held for a Mafia gangster.

A series of cases involving Stoke Newington officers fell apart last year because judges refused to believe police evidence.

Ten convictions have

so far been quashed on appeal.

Graham Smith, of the Hackney Community Defence Association, said his organisation had compiled a 15 page submission for the Home Secretary detailing allegations involving policing in Stoke Newington and Hackney.

The association had dealt with 381 complaints against officers from the two stations since January 1989 and was supporting 63 civil actions against Metropolitan Police Commissioner Paul Condon.

# 45 policemen branded after corruption probe

## 134 cases involving drugs, theft, assault

by CHARLES PENNY

FORTY-FIVE police officers from the same station could face charges after a major corruption probe.

The Police Complaints Authority report yesterday accused them of planting drugs on suspects, assault, theft, criminal damage and conspiracy to pervert justice.

Now it is up to the Crown Prosecution Service to decide if the officers, mainly uniform and detective constables, will be prosecuted.

Operation Jackpot was set up three years ago to investigate 134 complaints against the officers at Stoke Newington, Hackney, north London. Two policemen had 11 allegations made against them.

One officer featured in eight cases, another in seven and three in six.

### Suspended

In 1992, eight officers were moved and three were later suspended.

The inquiry refused to identify any of the officers involved to avoid prejudicing criminal or disciplinary proceedings.

During the investigation, the inquiry team took 376 statements and examined transcripts of interviews, custody records, court proceedings and other documents.

But it admitted it was hindered by "limited co-operation" from victims.

The Hackney Community Defence Association, which has been monitoring alleged police corruption in the area, said the report did not go far enough.

It claims at least four detectives were involved in organised crime and has called on Home Secretary Michael Howard to hold a judicial inquiry.

TODAY Friday February 4 1994

# 45 'BENT BOBBIES' SCANDAL

KIM SENGUPTA

AN OFFICIAL report into allegations of massive police corruption has implicated 45 officers at just TWO stations.

Now Home Secretary Michael Howard is considering whether to agree to calls for a judicial review.

In the worst scandal to hit Scotland Yard for 20 years, cops at two north east London stations have been accused of planting drugs, stealing, beating up members of the public, and conspiracy to pervert the course of justice in a staggering 134 different incidents.

One officer suspected of corruption, Sergeant Gerry Carroll, committed suicide, blowing his brains out in a police station.

Operation Jackpot has been probing complaints against police at Stoke Newington and Hackney. They heard allegations that officers had:

- Netted tens of thousands of pounds by "running" their own drug dealers.
- Extorted protection money from pubs, clubs, and shebeens.
- Planted drugs and taken bribes from drug dealers.
- Assaulted and racially abused suspects.

One officer, Det Con Roy Lewandowski, was sent to prison for stealing from a murder victim's house.

He was accused of taking money from drug dealers and is now giving evidence against former colleagues.

## Fear

The results of the 21-month investigation will be passed on to the Crown Prosecution Service.

But sources fear just nine officers, all constables, will face charges because of lack of evidence against 36 others in the Police Complaints Authority report.

Now the Hackney Community Defence Association has asked the Home Secretary for a judicial review into policing in the area.

Spokesman Graham Smith said the association had dealt with 381 complaints against officers at the two stations.

DAILY STAR

4.2.94

# CORRUPTION PROBE NETS 46 COPPERS



Mr Bennett . . . 'dealers won'

## Station was 'nest of crime'

By MIKE SULLIVAN

**AN inquiry has uncovered 46 allegedly bent coppers at a single station in one of Britain's biggest police corruption scandals.**

They are accused of 134 cases of selling confiscated drugs, theft, assault, taking bribes, framing suspects and running protection rackets.

Home Secretary Michael Howard has

been urged to order a judicial inquiry following the three-year investigation at Stoke Newington station in North East London.

Charges are being considered—but few officers are likely to face court because witnesses are unwilling to testify. Most will get off with internal discipline.

The probe, Operation Jackpot, began when a woman pusher told police she was being sold crack by an officer in

The inquiry team was told officers PLANTED drugs to fit-up suspects, TOOK bribes from dealers and RAN protection rackets for pubs and clubs.

One former officer, Detective Constable Roy Lewandowski, has been jailed for 18 months.

Another three have been suspended and eight transferred to other police stations, while one shot himself.

### Police

Since the probe cases involving the detectives have collapsed. Eleven convictions have been quashed and 16 more appeals are outstanding.

The scandal has made the area the target of pushers from all over London.

They believe police are powerless to stop them.

Mike Bennett, chairman of the Metropolitan Police Federation, said: "Without a doubt, the drug dealers have won."

"If police officers have assisted them to win then that's disgraceful."

# Daily Express

## OPINION

### Staunch this lingering stink of corruption

THE lingering odour of corruption hangs over the Metropolitan Police after the most serious allegations have been levelled at the force for two decades. Nearly 50 officers stationed at Stoke Newington and Hackney, serving one of London's poorest areas, are said to have been involved in drug dealing, theft and conspiracy to pervert the course of justice by planting evidence.

A report on Scotland Yard's unfortunately named Operation Jackpot is now with the Crown Prosecution Service.

It can only serve as yet another blow to a police force whose public esteem and internal morale have been battered in recent years.

During the investigation, three officers were suspended, eight moved to other divisions, and one shot himself.

But the fear, particularly among local residents, who are calling for a full judicial review, is that any CPS move will lead only to a mere handful of sackings and prosecutions.

Of the 50 officers involved, it appears there is "insufficient evidence" to bring cases against 36 of them. If the CPS does decide to bring charges, then only a few officers are likely to be accused.

Inevitably, the public's reaction will be to claim a cover-up, and a suspicion that Operation Jackpot itself was little more than a cosmetic exercise. In such cases the police tend to protest that there are usually only a "few bad apples" in the barrel.

But already 11 people have had convictions quashed following claims against Stoke Newington police, and there are 20 more pending. The Lord Chief Justice, Lord Taylor, has himself regretted that two men had even been convicted "on the basis of tainted evidence".

Let us be clear. The overwhelming majority of police officers in this country are honest, hard working and dedicated to serving the public.

But no force can ever hope to be 100 per cent pure, and those officers who blatantly betray their trust and the confidence of their more honest colleagues, must be cut swiftly from the force.

In this time of the Prime Minister's precariously balanced Back To Basics concepts, Home Secretary Michael Howard must personally ensure that there is no whitewash and no fudging. He must seriously consider a judicial review.

Public faith in the police, particularly in the face of the capital's increasing lawlessness, must be constantly safeguarded. Action on this report must be resolute.

# 45 policemen are accused of corruption

By JOHN TWOMEY

FORTY-FIVE police officers stood accused last night after the biggest inquiry into corruption in the force for 20 years.

Accusations cover 134 incidents, including drug dealing and theft, following a probe at Stoke Newington, London.

The Crown Prosecution Service is deciding how many officers to charge.

Sources said it was unlikely all the officers will be prosecuted. But they could still face disciplinary action including dismissal.

The three-year inquiry, codenamed Operation Jackpot, is the most serious corruption probe into the Metropolitan Police since the Seventies.

Yesterday, campaigners urged Home Secretary Michael Howard to order

a judicial inquiry into policing in the area.

Mr Howard said he would consider the request "very carefully".

Shadow Home Secretary Tony Blair said: "I am sure the Metropolitan Police want to weed out corruption and restore local confidence."

### Damaged

Officers in the area say morale has been seriously damaged and say they have been unfairly tarred by the activities of a few colleagues.

The inquiry looked at 22 cases involving 134 complaints against 45 officers. These included allegations of planting drugs or evidence, conspiracy to pervert the

course of justice, theft, assault and criminal damage.

Most complaints were against uniform and detective constables.

One officer featured in eight cases, another in seven and three in six. Two officers faced 11 allegations.

In January, 1992, eight officers were moved and three were later suspended.

Of 90 complaints against detectives, 77 people were charged.

Eighteen cases were dropped when the CPS offered no evidence, 22 were acquitted, 35 convicted and two are still waiting to appear.

There have been 11 successful appeals against conviction. A further 16 are waiting to be heard.

Opinion: Page 8

# Police facing trial on drugs 'corruption'

By PETER BURDEN

and TRACEY HARRISON

OFFICERS at the centre of one of the biggest police corruption probes yet could be charged within days.

The Director of Public Prosecutions is studying the report of a 2½-year inquiry into allegations against 45 officers involving 134 incidents at Stoke Newington, North London.

But last night the group whose claims sparked the investigation called on Home Secretary Michael Howard to order a judicial review of policing in the area. The call came amid fears that the report's findings do not go far enough. Mr Howard promised to consider the request 'very carefully'.

The investigation, codenamed Operation Jackpot, was launched in April 1991 after allegations that a crack cocaine dealer paid a police officer between £1,000 to £2,000 a week for supplies.

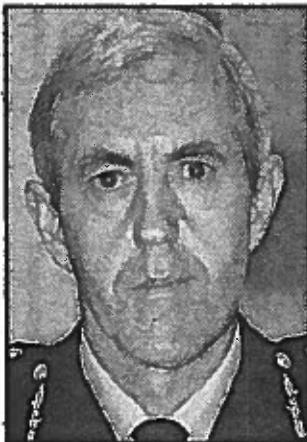
## Charges

The Police Complaints Authority studied claims that officers planted drugs on suspects, were involved in thefts and assaults and conspired to pervert the course of justice.

But while the Crown Prosecution Service is likely to give its decisions soon, possibly as early as next week, sources indicated yesterday that only a few officers would face charges or disciplinary hearings. This apparently confirmed the community's fears.

Graham Smith, spokesman for the Hackney Community Defence Authority, which called for the judicial review, said: 'We're planning a long campaign until justice is done.' He claimed that at least four CID officers were involved in organized crime.

Senior officers warned during the three-year investigation that



The police chief and the Minister: Metropolitan Commissioner Paul Condon (left), said to be facing 83 civil actions, and Home Secretary Michael Howard, who promised to consider a request for a judicial review. Above, the Met's badge

## THE TAINTED EVIDENCE

ELEVEN people have had drugs, theft and manslaughter convictions quashed since the inquiry into Stoke Newington police began.

Four people claimed drugs were planted on them in unrelated incidents. One officer allegedly involved in all the cases was suspended with two others.

Nigerian-born Ida Oderinde, sentenced to four years for heroin dealing, told afterwards how she saw two police officers give Pearl

Cameron a bag full of crack. Two constables who said in court that they found heroin in a disused fridge in Mrs Oderinde's home were later suspended.

Quashing her conviction and those of three men in other drug cases, Lord Taylor, the Lord Chief Justice, said last March that they were 'unsafe and unsatisfactory' because of serious doubts about the reliability of police evidence. At another hearing, Lord Taylor condemned 'tainted evidence from a source which ought to be reliable'.

it could prove to be the most serious police corruption inquiry for 20 years.

Its extent was disclosed yesterday when the PCA gave a breakdown of allegations. Twenty-two cases were looked into, involving 134 complaints against 45 officers.

Most complaints involved uniformed and detective constables. One officer featured in eight cases, another in seven and three in six. Two officers had 11 specific allegations against them. Sources in the police and the CPS indicated, however, that there was sufficient evidence for

legal action against only nine officers at most.

The complaints authority said a major difficulty facing the inquiry was the 'limited co-operation' given by complainants.

Operation Jackpot was launched after the Metropolitan Police received information concerning an officer based at Stoke Newington.

Drug dealer Pearl Cameron, 39, and her son Marion, 20, who were subsequently jailed for conspiracy to supply crack cocaine, alleged that the main conspirator was a policeman.

Pearl Cameron claimed that she often paid him £1,000 for crack supplies and on one occasion £2,000.

She was arrested early in 1991 for dealing from her home in Sandringham Road, an area notorious for drug dealing.

Subsequently, a large number of people claimed to have had drugs planted on them by Stoke Newington police.

The Yard launched an inquiry into allegations of drug dealing, theft and conspiracy to pervert the course of justice connected with the local police station.

In January 1992, eight officers were moved. Three were later suspended.

Graham Smith claimed that numerous allegations were not covered in the report.

He said his organisation, which had dealt with 381 complaints against officers from Stoke Newington and Hackney in the past five years, was supporting 83 civil actions against Metropolitan Police Commissioner Paul Condon.

The 90 complaints against Stoke Newington detectives involved 77 people who had been charged.

Eighteen cases were dropped when the CPS offered no evidence, 22 people were acquitted, 35 convicted and two were still waiting to appear. There had been 11 successful appeals against conviction and a further 16 were waiting to be heard.

# Howard tries new tack on law and order

Alan Traviss  
Home Affairs Editor

**T**HE Home Secretary, Michael Howard, yesterday tried to kickstart his stalled law and order package by announcing plans to fine parents up to £1,000 if their children fail to comply with court orders and to introduce drug tests into prisons.

The announcements followed his double climbdown on Wednesday over proposals covering police authority appointments and the running of magistrates' courts.

At a London conference on crime and the family, Mr Howard denied yesterday that he had attacked single mothers in his Conservative Party conference fringe speech last autumn, which sparked three months of controversy over the Government's attitude to lone parents.

He denied suggesting that children brought up by single mothers invariably turned to crime. The measure on court orders announced yesterday applied to all families, he said.

"Parents cannot wash their hands of their children once they have committed a crime. "Teaching children the difference between right and wrong is a process which must begin in the home and continue throughout childhood," he told

the Family Studies Centre conference.

Courts will be given the power to bind over and fine the parents of children who fail to comply with the terms of community sentences. Parents will be liable if their children fail to turn up at attendance centres or for meetings with probation or social workers. Those who fail to pay the fines can be jailed for up to 28 days. Twenty thousand fine defaulters spent time in prison last year.

The shadow Home Secretary, Tony Blair, welcomed the extension of existing powers to bind over and fine parents if their children commit further offences, but said it would have limited significance. For practical reasons, the powers were believed to be rarely used.

Mr Blair said the Home Secretary should be dealing with the real crisis in juvenile offending and tackling the link with drug abuse.

Bryan Gibson, of the Justices' Clerks' Society, said the change would have to be approached with extreme caution: "You often find that the children come from a background where parents are already unable to exercise control."

At the same conference the Princess Royal warned that sending young offenders on safari trips abroad damaged the credibility of programmes designed to cut crime.

GUARDIAN

4.2.94

# TURKS CALL ON COPS TO DISBAND ANTI-TERRORIST UNIT

CALLS have been made for a special police unit investigating Turkish terrorist groups in Hackney to be disbanded.

The demand comes after a series of swoops by armed police officers searching for suspects linked to extortion rackets and fire-bombings involving the PKK (the Kurdish Workers' Party), Dev Sol (Revolutionary Left) and the fascist Grey Wolves.

The unit has been slammed as "racist and anti-democratic" and accused of terrorizing law-abiding Turkish and Kurdish residents.

The Day-Mer Turkish and Kurdish Solidarity Centre in Howard Road, Stoke Newington, and the Halk-Der Community Centre in Prince George Road, Stoke Newington, have joined with the Socialist Workers' Party to campaign to press for the unit's closure.

They plan to picket Stoke Newington police station

today (Friday). "Armed dawn raids with dogs, brutal and humiliating searches of family homes and arrests without any charges are all hallmarks of the unit," said a campaign spokesperson.

Police say the unit was set up in response to the large number of complaints made by the Turkish community itself about extortion and violent beatings. "We have received no official complaint about any police action," said a spokesperson.

## Combating crime

THE third in a series of special public conferences on crime prevention is being held at Hackney Town Hall tomorrow (Saturday).

Representatives of the police, council, community and tenants' groups will gather to discuss proposals for combating the borough's high crime rate.

A wide variety of issues, ranging from drugs and muggings to burglary and car crime, are on the agenda.

Special working parties set up at the two previous conferences held last year have come up with draft plans for tackling specific areas of crime.

"The aim is to reduce crime by getting the whole of the community involved and interested, and making Hackney a decent place to live in," said Iain Turpie, secretary of the Hackney Crime Prevention panel, which is organising the conference.

## POLICE CORRUPTION PROBE COMPLETED

THE Operation Jackpot inquiry into alleged police corruption at Stoke Newington was completed this week and a decision on criminal charges is expected to be made soon.

The Police Complaints Authority, who supervised the internal police investigation, confirmed yesterday (Thursday) it was satisfied with the way the probe had been conducted.

It will pass on its report and recommendations to the Crown Prosecution Service, who are still considering whether any officers will face criminal charges.

Since Operation Jackpot was launched in 1991, up to 50 police officers - many in the drugs squad - have been questioned.

Eight officers were transferred to other stations, three of whom were later suspended. Another officer, Det Con Roy Lewandowski, was jailed for 18 months for theft - an offence unrelated to the Operation Jackpot inquiries.

Several drugs-related court cases brought by Stoke Newington police have collapsed because police witnesses were not considered credible by judges - and 10 people have been freed from jail after their convictions were quashed on appeal.

HACKNEY GAZETTE

4.2.94

**Deputy Commissioner says Home Secretary's plan 'ill-conceived and publicly unacceptable'**

# Police leader fears coercive national force

Alan Travis  
Home Affairs Editor

**A** SENIOR policeman warned the Home Secretary, Michael Howard, yesterday that the service would continue to fight his Police and Magistrates' Courts Bill because of fears that it will create a coercive national force.

Sir John Smith, president of the Association of Chief Police Officers and the deputy Metropolitan Police Commissioner, said that despite Mr Howard's climbdown on Wednesday the package would leave chief con-

stables as potential tools of central government.

He warned that the combination of nationally laid down objectives, performance tables and performance-related pay paved the way to a coercive style of policing which produced the Los Angeles riots.

The police had unfairly been accused of being "Maggie's boot boys" during the miners' strike and the Wapping printers' dispute.

"We acquitted ourselves well in the circumstances and were assisted by the ready presence of democratically elected members of the current police authorities.

"But imagine if similar events were to occur under these new proposals — how easy it would be for the police simply to be the tools of the Government," he said.

Sir John, who was addressing a seminar in Salford, said he was voicing the concerns of the whole of the police service.

"Speaking out against proposals for change from the government of the day does not come easily to police officers. Make no mistake: I would rather not be in this position. It is a mark of the depth of our very real concerns that I am prepared to speak out against what we believe to be an ill-con-

ceived and publicly unacceptable package of measures."

Sir John's intervention marks a deepening rift between the most senior levels of the police service and the Home Secretary over the Government's plans to restructure the way the police are run for the first time since the 1964 Police Act.

On Wednesday Mr Howard abandoned plans for the Home Secretary to appoint police authority chairmen, but the climbdown did not remove fears about the removal of elected councillors' majorities on the authorities.

Sir John said the proposals

would upset the democratic balance established 30 years ago between the locally elected authorities and the Home Office.

"The present bill is the product of very few minds, scant consultation and seemingly based on the premise that crime has not been contained by the present arrangements so clearly those arrangements, root and branch, need to change.

"I am inclined to the view that we are witnessing a move, perhaps unintended, to national control of the police by central government. There may be good arguments for a national police force, responsible to a

Minister of the Interior but, if that is the proposition, let us have that public debate."

He said the combination of national policing objectives and performance targets with short-term contracts for chief police officers would skew priorities and destroy the tradition of local policing.

The resulting "bean counting culture" had ended in the beating of Rodney King in Los Angeles and the subsequent riots. As a result of that experience, American police departments were turning towards community policing; meanwhile their British counterparts were being told to abandon it.

5.2.94  
GUARDIAN

The Police Complaints Authority report into alleged corruption at Stoke Newington police station has signally failed to satisfy the demands of local community organisers who label the inquiry a 'whitewash'.

Operation Jackpot's three year investigation into 134 complaints against 46 officers based at Stoke Newington police station has been described by one senior Scotland Yard chief as the "most serious investigation into police corruption for 20 years." Community activists have reiterated their calls for Home Secretary Michael Howard to launch an independent judicial inquiry into Stoke Newington police station.

The PCA claims the delay in concluding the report was caused by the unwillingness of complainants to co-operate but the Hackney Community Defence Association [HCDA], which has provided support for some 83 civil actions against Stoke Newington police officers, claim the reluctance of witnesses to assist the investigation stems from the community's loss of faith and trust in the police.

"Relations between the police and the community have broken



THE Met's tightlipped SIR JOHN SMITH at Scotland Yard last week

down," declares Graham Smith, of the HCDA. "This inquiry has had no effect on policing in Stoke Newington," he added.

"We took up 57 new complaints against the police just last year, while Operation Jackpot was in full swing."

The HCDA claims the investigation's presumption that police officers were embroiled in a 'no prisoners taken' offensive against dope peddling in the north-east London district is faulty.

"Stoke Newington police officers have not been combatting the drug trade, they have been responsible for controlling it," alleges Mr Smith.

The PCA's statement to mark the conclusion of the inquiry detailed the 134 complaints relating to 22 cases. The complaints include 64 allegations of planting drugs and other accusations, including conspiracy to pervert the course of justice, theft, assault and one charge of criminal damage against, officers of mainly constable or detective constable rank.

Since Operation Jackpot began in April 1991 one officer, award-winning Detective Roy Lewandowski, has served 18 months for stealing valuable books from the home of a murder victim while he was investigating the case. He has been released and now pledges his support to Stoke Newington resident, Mr Benny Wilson who has taken out civil action against detectives he claims planted drugs on him and then charged him with possession of firearms and narcotics; Mr Wilson saw the charges against him dropped, but only after he spent six months in custody.

The PCA takes credit for the successful defence of some high profile court cases relating to allegations against Stoke Newington police investigations

between December 1988 and November 1992. Nevertheless, the HCDA provided support for the appellants in 11 successful appeals where all convictions were quashed and also 22 defendants who have been acquitted and 18 other cases where no evidence was given.

As a result of these cases three Stoke Newington officers are under suspension, eight have been transferred to other stations and several have been removed from duties with the east London police station's drug squad.

Conversely, spokespersons for Stoke Newington claim the allegations against officers in the drug squad hinder their "efforts to combat drug dealing in the area". Statements suggest that 46 officers whose names have been submitted to the Director of Public Prosecutions, Barbara Mills, represent "only a small percentage" of the 300 officers working at Stoke Newington police station.

Police claim arrested dope dealers now request they be taken to Stoke Newington police station, hoping to refer to the station's

*Continued on page two*

besmirched reputation in any defence they propose.

Graham Smith rejects these claims and cites the "breakdown in police community relations" for their problems.

"Internal police investigations which allow the police to investigate themselves behind closed doors cannot succeed because the community's suspicions remain," he said.

"Operation Jackpot has failed on all levels because its terms of reference are too narrow and it has taken too long. A judicial inquiry is the only forum in which police and community can inform one another of existing problems."

Home Secretary Michael Howard claims he is "considering all recommendations and requests".

The Director of Public Prosecutions would have been very familiar with Stoke Newington police station's reputation as she has been receiving individual case reports since November 1992.

As well as the aforementioned successful appeals and defences further 16 appellants are awaiting hearing dates while some 25 litigants are pursuing civil damages actions against Stoke Newington officers.

The DPP will detail how many, if any, of the 46 officers will face charges relating to allegations made in the PCA report this week.

# POLICE IN COVERUP FEAR

*'Come clean!  
MP urges  
police inquiry'*



WRONGFULLY ARRESTED: (L-R) Hugh Prince, Pamela Simms and Audley Harrison

By Janet Sebastian

**MP Diane Abbott fears that cops implicated in the biggest drug and corruption scandal for 20 years may not face criminal charges.**

She has now called for an independent judicial inquiry as the only way to clean up Stoke Newington Police Station, in north-east London, where 45 officers are accused of 134 incidents of corruption and drug dealing.

Miss Abbott, MP for Hackney North and Stoke Newington, is urging top policemen to "come clean and admit that there has been something very wrong at Stoke Newington Police Station".

A two-and-a-half year Police Complaints Authority (PCA) investigation into the allegations was handed to the Crown Prosecution Service (CPS), last

(Continued on page 3)

## POLICE IN COVERUP SCAM

(Continued from page 1)



DIANE ABBOTT: Calls for independent inquiry.

week. It will decide if any action will be taken against the policemen.

"Stoke Newington Police Station has a history of brutality and racism. I have been MP for the area for seven years and I have had a constant stream of people - Black and White - coming to me about police harassment and corruption," said Miss Abbott.

*"I don't want this investigation to end in a whitewash. The PCA inquiry is fine as far as it goes but it has taken far too long, and for some reason, they have drawn back from actually arriving at any conclusion about Stoke Newington."*

The investigation was police men investigating policemen. What people in Stoke Newington want is a genuine independent judicial inquiry."

The CPS heard that among other bent practices officers planted drugs to framed suspects, took bribes and ran a protection racket during a crackdown of drugs in the area called Operation Jackpot.

To date 11 people have had their convictions quashed by the appeal courts - nine of them Black - because of doubts about the reliability of evidence given by officers under investigation.

A further 16 cases are waiting to be heard and a large number of prosecutions have also either col-

lapsed or resulted in acquittals because of doubts about the reliability of police evidence.

Among those arrested were Audley Harrison, Pamela Simms and Hugh Prince. Mr Harrison, 24, and Hazel Bruno-Gilbert, 27, went to Stoke Newington police station in May last year to report seeing officers jump out of a van and assault a man sitting at a bus stop.

The couple state that officers refused to take their statement so Miss Bruno-Gilbert said she would report the attack at Hackney station but was arrested before she could get there. Both say police then assaulted them.

In November last year they were both acquitted at Highbury Magistrates' court of assaulting and obstructing police officers. None of the officers involved have been suspended and they now plan to sue the Metropolitan Police Commissioner, Paul Condon.

Mr Harrison said: "The police officers who gave evidence against us were disbelieved by the court. We are good citizens. We saw an incident, we reported it and we ended up being arrested.

Hackney Community Defence Association (HCDA) which is representing most of the complainants has handled about 90 complaints against Stoke Newington officers this year.

Last week the HCDA delivered a dossier to Michael Howard, the Home Secretary, stressing its disgust with the PCA inquiry.

HCDA has handled 381 complaints involving Stoke Newington officers over the last five years.

Since the investigation one former officer, Detective Constable Roy Lewandowski, has been jailed for 18 months, another shot himself, three were suspended and eight transferred to other stations.

VOICE 8.2.94

HACKNEY residents have reacted strongly to the completion of "Operation Jackpot", the inquiry into police corruption at Stoke Newington.

The Police Complaints Authority report, described by senior officers as the most serious investigation into police corruption for 20 years, has failed to satisfy the local people including MP for Hackney North, Diane Abbott.

She said: "Stoke Newington Police Station has a history of

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by Our Staff Reporter

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brutality and racism. This goes back to the Colin Roach killing and before. I have been the MP for this area for seven years. And I have had a constant stream of people, black and white, coming to see me about police harassment, brutality

and corruption.

"The Police Complaints Authority report is fine as far as it goes but it has taken far too long. And, for some reason, they have drawn back from actually arriving at any conclusion about the management, the culture and the ethos at Stoke Newington. The investigation was policemen investigating other policemen.

What people in Stoke Newington want is a genuine independent judicial inquiry."

Defending the time taken for the inquiry, the authority said some complainants had been reluctant to co-operate. The community association said this was because people did not trust the complaints procedure.

The inquiry, which began in

April 1991, was intended to report by June 1992, but was delayed as further complaints were made. Some 134 complaints against officers are detailed covering 22 cases, including 64 allegations of planting drugs. There are also, allegations of conspiracy to pervert the course of justice, theft and assault.

The Hackney Community

Defence Association, a local pressure group campaigning against policing practices in the area, fear that the investigation has failed to deter police crime.

Association chairman, Tony Price said: "The level of corruption is routine - it's going on all the time. Long after this furore is over we will still get cases. On average we receive

one case a week which involves assault or false allegations."

As a result of evidence which has emerged during the inquiry, more than 30 people have either had their convictions quashed or sought leave to appeal.

Since the investigation began, one officer has been jailed for 18 months, four have been suspended, eight transferred to other stations and several removed from local drugs squads.

WEEKLY TOLERANCE

10.2.94

# Rooky PCs fear 'stigma' station posting

Peter Victor

**STOKE NEWINGTON** police station in north London, currently at the centre of the biggest police corruption inquiry for 20 years, has become so notorious that new recruits worry about the stigma of being posted there.

The inquiry was launched in April 1991 to investigate allegations of drug dealing, theft and conspiracy to pervert the course of justice.

Senior officers locally are trying to boost morale in the wake of media reports on the inquiry, Op-

eration Jackpot, in which up to 45 officers could face charges. Many officers there feel they have been let down by Scotland Yard.

Last week, the Police Complaints Authority announced that it had completed its report on the allegations. Since then, officers at the station have had a torrent of phone calls from family and friends. 'I had my mother and my mother-in-law on the phone pleading: "It's not you, tell me it's not you,"' said one. 'The day after all the press reports I went to the cafe across the road in my ordinary clothes and they were all talking about it, saying we were corrupt. What kind of effect is

that going to have on a young person just coming into the job?'

Senior officers plan to reassure 10 recruits at the police school in Hendon said to be concerned about the station's reputation.

Scotland Yard refuses to discuss any aspect of Operation Jackpot or its effect on morale at the station. But an internal memo obtained by *The Observer* shows the extent of concern. Deputy

Assistant Commissioner Mike Taylor, in charge of policing in east London, wrote to the station's chief superintendent, Niall Mulvihill, saying he was 'outraged and distressed' by media coverage of the case. 'The general effect has been a clear attempt to tarnish the current reputation of Stoke Newington Division and all those who serve there.'

'I would be very grateful if you would make it clear to your staff that they have always had, and continue to command, my strongest support. I know that, contrary to ill-informed and, indeed, some malicious media speculation, that they do enjoy the respect and confidence of the great majority of the public whom they serve.'

Mr Taylor took the highly un-

usual step of going to Stoke Newington station the day after the PCA press conference. He spoke to officers personally, reiterating his support for them.

Mike Bennett, Police Federation spokesman, said it was a pity Mr Taylor had not expressed these sentiments publicly. 'On the day of the press conference, I phoned Scotland Yard to ask what the commissioner planned

to say about Jackpot. I was told he had a domestic problem and was not coming in.'

One officer at the station said yesterday: 'Why isn't the Yard telling the media that most of the people involved are not here any more. Nobody gives us credit for actually dealing with corruption when we find it. If you had a son coming to work at Stoke Newington, how would you feel?'

# Magistrates oppose rise in drug fines

Alan Travis  
Home Affairs Editor

MAGISTRATES yesterday joined the growing opposition to the decision by the Home Secretary, Michael Howard, to increase the maximum fine for possession of cannabis and other soft drugs from £500 to £2,500.

Rosemary Thomson, Magistrates' Association chairman, said in a statement to Mr Howard: "The fact of the matter for sentencers is that few cases of possession reach the magistrates' courts. Police seem to be cautioning or doing nothing about possession for personal use."

The magistrates joined the police and drug counsellors in criticising the decision as having little impact on the problem of drug abuse.

Latest Home Office figures show that the majority of those dealt with by the police for possession of class B drugs, which includes cannabis and amphetamines, are cautioned.

About 22,000 of the 41,352 cases arising in 1992 were dealt with by a caution and never reached court. About 10,000 defendants were fined for possession, with the average fine working out at £86. Only 365 people were fined more than £200 for possession, and of these only 52 were given the maximum fine.

Current sentencing guidelines for magistrates suggest that £180 is the appropriate fine for offences of "average seriousness" in this category. The amount of cannabis found in possession of the defendant is a

key determinant of the level of the fine.

Mr Howard yesterday defended the decision to include the change in the Criminal Justice Bill currently before Parliament. "All we are doing is increasing the maximum level of the fine in line with other maximum fine levels which have been increased over the years," he said. The level of soft drug fines had been unchanged since 1977.

"Magistrates will take into account the means of the people who come before them in deciding where to pitch the level of the fine in any particular case."

He said that the £2,500 maximum was necessary to allow the courts to impose a heavy penalty where the quantity seized was so large it was believed that the defendant had intended to be a supplier but it had been difficult to prove.

Mike Goodman, director of Release, the national drug counselling agency, said he was alarmed by the Home Secretary's last suggestion. "That is fining people for crimes that have not been proved."

Mr Goodman added no single British authority on drugs or law enforcement had suggested that increasing penalties was the way to deal with the growing problem of drugs misuse.

*Michael White adds:* With a week to go before MPs vote on the homosexual age of consent, Downing Street last night rejected suggestions that Mr Howard's move to raise drugs fines was sending voters a signal of an anti-permissive kind. "It's an entirely separate issue," said a spokesman.

Don't be a dope, page 22

# Howard in new U-turn on police bill

Alan Travis  
Home Affairs Editor

**T**HE Government's flagship law and order programme took a fresh battering last night when Michael Howard, the Home Secretary, was forced to withdraw another plank of his plans to end local government control of the police.

Rather than face defeat in the Lords, Home Office ministers dropped plans to allow the Home Secretary to appoint a third of the members of police authorities.

Mr Howard is now considering what new concessions might be needed to get the Bill through parliament.

The retreat on a key element of the Government's programme comes two weeks after ministers dropped plans to appoint police authority chairmen directly after opposition in the Lords.

Yesterday two former Tory cabinet ministers, Lord Renton and Lord Rippon, joined Labour and cross-bench peers in telling the Government that they still could not vote for the Police and Magistrates' Courts Bill.

As Opposition peers claimed the bill had been "holed below the water line", Home Office Minister of State Earl Ferrers agreed to hold further talks before bringing the issue back before the Lords.

Tony Blair, the shadow home secretary, last night said the decision indicated that the Government's legislation on law and order had now descended into a "shambolic farce" which could have been avoided if Mr Howard had listened to the virtually unanimous initial opposition to his plans.

Sir John Smith, president of the Association of Chief Police Officers, last week demanded that Mr Howard withdraw the

entire bill, telling him his proposals were unacceptable and opened the way for a politically controlled national police force.

The two former Tory cabinet ministers voiced strong support for Labour amendments which would have restored local government's two-thirds majority on the bodies which appoint chief constables and vet police budgets.

They also backed moves to drop Mr Howard's plans to insist that one-third of the membership of the new police authorities were Home Office appointees selected by a panel composed of two lord lieutenants and a professional recruitment consultant.

These have been attacked by peers as the "Home Secretary's placemen".

Only two of the 14 peers who spoke in the debate last night said they were prepared to support the bill in its current form — Lord Whitelaw and Lord Tebbit.

In the face of this cross-party hostility, Earl Ferrers took the highly unusual step of announcing that the Government was "standing down" clauses two, three and four, which deal with limiting local government control over the new police authorities.

He said he would hold talks with the concerned parties before bringing the clauses back to the Lords for a fresh committee stage.

The plan faced a storm of opposition a fortnight ago when three former Home Secretaries, including Lord Whitelaw, warned that the package amounted to political control of the police.

Lord Whitelaw said last night he was satisfied with the concessions that Mr Howard had made. But other Tory peers made it clear that they considered even the modified plans constitutionally unacceptable.

## 4 HOME NEWS

Lords want check on new powers for Home Secretary

# Howard faces fight on police mergers

**Alan Travis**  
Home Affairs Editor

**T**HE Home Secretary, Michael Howard, is expected to face fresh trouble in the House of Lords today over his police reforms, after the battering the law and order legislation received on Tuesday.

Mr Howard insisted yesterday that while he would consider "very carefully" what peers, including two former Conservative Cabinet ministers, had said about his plans to place police authorities under Home Office control he was not prepared to ditch the principles behind the legislation.

Conservative peers are expected to renew the attack today with amendments seeking to check new powers for the Home Secretary to order the merger or amalgamation of police forces and to set down national performance targets for local police forces.

Mr Howard will also face a renewed demand to set up a police authority for Greater

London, a measure supported by the previous Home Secretary, Kenneth Clarke.

The Police and Magistrates' Court Bill, now in the Lords with the Criminal Justice Bill, form the keystone of the Government's "back to basics" policy programme.

Mr Howard is believed to have been sounding out Conservative MPs yesterday to see if he could rely on the Government's Commons majority to steamroll the bill through without further concessions to the Lords.

Defending one of the key proposals in dispute — that one third of the membership of the new police authorities should be Home Office appointees — Mr Howard said: "They won't be political appointees because I have indicated that I am perfectly prepared to put in place local arrangements for drawing up a shortlist which will ensure that they are truly local and independent."

He added that he would listen to peers' objections to see if they held any "substance".

The Association of Chief

Police Officers yesterday welcomed any reconsideration of the composition of the new police authorities but stressed that they did not oppose the entire bill. The chief constables have welcomed plans to reorganise the structure of police ranks and introduce fixed contracts and performance-related pay for chief officers.

But many peers share the concerns of chief constables that when these innovations are combined with proposals to take greater central control of police authorities they will produce an unacceptable shift in the balance of power towards the centre.

The shadow Home Secretary, Tony Blair, said the Government should withdraw plans "that will centralise policing and undermine local democracy and local accountability, and instead develop modern progressive community policing where the police are working as a public service in partnership with other local agencies."

Hugo Young, page 22

# DPP 'wrong' to reject sex assault case

Duncan Campbell  
Crime Correspondent

**T**HE High Court yesterday overturned a decision by the Crown Prosecution Service not to prosecute a police sergeant alleged to have committed unlawful sexual acts on his wife.

The ruling could lead to a reappraisal of prosecutions in alleged sexual assaults when the evidence consists essentially of one person's word against another's.

Lord Justice Kennedy, sitting with Mr Justice Scott Baker, granted an application for judicial review by the sergeant's wife, described in court as Mrs C. They ordered the Director of Public Prosecutions to reconsider whether or not to send the case for trial. Mrs C said she believed that her husband was not charged because he was a policeman.

The judge said that Mrs C had complained to the police in November 1992 that her husband had repeatedly committed acts of buggery without her consent over a five-month period which started soon after their marriage.

She alleged that her husband had obtained a pornographic video and began to pressurise her into doing sexual acts depicted in the film. The video was found when police visited

their home after her complaint. In an affidavit, Mrs C said that she believed her husband was not arrested and prosecuted "because he is a policeman and part of the same institutions they represent".

Her statement continued: "I believe that the decision of the Crown Prosecution Service is contrary to the public interest because I, like many other women, was too embarrassed to tell anyone what was happening to me. When I took the step, I have faced obstacle after obstacle from police and the Crown Prosecution Service."

Lord Justice Kennedy said a senior CPS solicitor, in deciding not to prosecute, had approached the case on the basis that the alleged sexual offences could not be proved to have taken place without Mrs C's consent.

The solicitor had concluded that her grievance could more appropriately be dealt with in a matrimonial court. The solicitor had concluded that it was not in the public interest to bring criminal proceedings against the sergeant.

"This is one of those rare cases where the Director of Public Prosecutions' decision is shown to be flawed," Lord Justice Kennedy said.

The CPS said yesterday it would not comment before it had studied the transcript of the court's decision.

GUARDIAN 19.2.94

# Howard's police reforms suffer fresh Lords blow

Alan Travis  
Home Affairs Editor

**T**HE Lords inflicted a fresh defeat on "back to basics" legislation to reform the police last night — this time over plans to modernise the discipline procedure which include the instant dismissal of officers for serious misconduct.

The defeat for the Home Secretary, Michael Howard, follows on the heels of two retreats on key elements of the Police and Magistrates' Bill orchestrated by the former Tory Home Secretary, Lord Whitelaw, and the Lord Chief Justice, Lord Taylor.

Peers voted by 107 to 100, to support a backbench Conservative amendment restoring to police their right to legal representation in internal disciplinary hearings and preventing officers facing the "double jeopardy" of a disciplinary hearing after being cleared of an offence in the courts.

Lord Bethell, a parliamentary adviser to the Police Federation, had led the Lords attack,

arguing that the new discipline procedure would mean officers being charged twice for the same offence. They would also face a tribunal where the burden of proof was less exacting than in a criminal court.

"An officer could be acquitted on the basis of reasonable doubt in criminal hearings and then charged again on the same charge and have to prove his innocence on the balance of probabilities."

The amendment overturns key parts of the Government's plan to overhaul the police discipline system which has been in place for more than a century. They include a twin-track internal discipline system to deal with unsatisfactory performance and serious misconduct. For the first time police officers will be required to resign for continued unsatisfactory performance.

Last September Mr Howard said his proposals were designed to replace the 19th century military system of police discipline with one in tune with modern personnel management.

GUARDIAN 22.2.94

# Guildford police 'told to conceal bombing interviews'

David Sherrock in Belfast

THE Surrey detective leading the hunt for the Guildford pub bombers instructed officers to conceal interviews with Paul Hill during the crucial 24 hours in which he made a series of confessions. The Northern Ireland Court of Appeal heard yesterday.

Three officers in charge of Mr Hill's detention at Guildford police station in November 1974 told lies at his Belfast trial six months later when he was convicted of the murder of Brian Shaw, Lord Gifford QC told the second day of the hearing.

The new evidence of lying and concealment, which implicates far more Surrey officers than the three who were acquitted of attempting to pervert the course of justice last year, came to light during the course of the Avon and Somerset police inquiry into the Guildford Four cases, but has not been disclosed before.

The catalyst for the disclosures was the former Commissioner of the Metropolitan Police, Sir Peter Imbert, then a detective chief superintendent

in the Bomb Squad investigating an intensive IRA bombing campaign in England.

Then Mr Imbert gave evidence at Mr Hill's Belfast trial, Lord Gifford told the appeal that while Mr Hill was being held in Guildford police station, three officers failed to record visits by Mr Imbert in the company of another senior detective, Ronald Underwood.

He referred to a statement made in 1975 by PC William Giles that nobody visited Mr Hill during his duty hours, as custody officer, and then quoted from another statement Mr Giles made three years ago admitting Mr Imbert's visit.

Lord Gifford said the original statement was "a deliberate lie intentionally concealing that and other visits made to Mr Hill during his term of duty."

"That may have been because he was instructed, or it may have been because he took the initiative to cover up."

Sergeant Blencowe took over from Mr Giles on the morning of November 29. His statement, Lord Gifford said, was "deliberately false".

He said it could reasonably be inferred that the instruction given by Det Chief Supt Walter

Simmons, head of Surrey CID, "was not so much that the appellant should not be interviewed but that Hill should not be interviewed".

"If all that happened during those disputed 24 hours were totally perfectly innocent and proper, brief visits by Mr Imbert, there would be no object in concealing their existence. However, if as the appellant

has all along claimed, there were other longer and improper occasions in which he was not only visited but removed to the interviewee's room, then one can see a clear motive for the latter being told to suppress any record of these events," Lord Gifford said.

"The three jailers who were party to this concealment are now seen to be seriously discredited.

"The evidence of the CID officers that they did not take him out to a second floor room for any purpose during these 24 hours has been seen as undermined and Hill's contrary case greatly strengthened."

Lord Gifford said the impression of truthfulness provided by all the English officers in Mr Hill's Belfast trial powerfully influenced the mind of Mr Justice Kelly when he concluded

that he was satisfied beyond reasonable doubt that his confession to murdering Brian Shaw, the only evidence against him, was free and voluntary.

The court heard evidence from Mr Hill's original trial that he was terrorised and deprived of sleep, food and warmth during his custody at Guildford, before he signed his confession.

The appeal continues today.

## Police log travellers for crackdown

Duncan Campbell  
Crime Correspondent

POLICE have launched an intelligence drive against New Age travellers and organisers of rave parties, according to police documents obtained by the Guardian. They are aiming to log about 8,000 travellers on computer, with details of their vehicles, nicknames and associates. Some forces have also decided that "raves will not happen, illegal or otherwise".

One of the tactics being employed is the use of undercover police officers among the travelling groups.

Civil liberties lawyers and representatives of travellers and rave party organisations, yesterday condemned the use of so many police resources at a time of their scarcity. They accused the police of implementing the Criminal Justice Bill — which introduces measures to control travellers and raves — before it has been debated in Parliament.

Information bulletins from the Southern Intelligence Unit, based in Devizes, Wiltshire, copies of which have been seen by the Guardian, indicate that the police are expecting many



free festivals and raves throughout Britain this year.

Any movement of New Age travellers (NATs) now has to be notified to a neighbouring force. Police believe that 2,000 vehicles and 8,000 people are involved, and are seeking information to log on computer.

The minutes of a meeting of the unit says: "Any information, no matter how small, on NATs and the rave scene should be forwarded to the unit immediately."

Spiral Tribe, one of the larg-

est of the groups organising rave parties, is the subject of particular attention. One bulletin, dated earlier this year, notes Spiral Tribe's plans for parties and asks: "Does this mean they are going to be more organised this year? If so, we will have to be alert!"

Some forces indicate that they oppose all rave parties, licensed or not. Surrey constabulary's policy is: "Raves will not happen, illegal or otherwise." Another force suggests using the fire services to ask for bans.

The intelligence unit, one of two that have been monitoring travellers since last year — the other is in Cumbria — has carried out Operation Snapshot, which looked at how many travellers were in the country and where they were. There are plans to repeat this operation.

Last night the general secretary of the civil rights organisation Liberty, Andrew Puddephatt, said: "To collate information on computers about individuals who have not committed offences and on the mere basis of their choice of lifestyle infringes on their right to privacy and freedom of expression."

Debby Staunton of the Advance Party, which represents 50 rave organisers, said: "

would like to know why they consider us some sort of threat."

A spokeswoman for Wiltshire police said the arrival of a new co-ordinator today left it unable to comment on the unit.

Michael Howard, the Home Secretary, has proposed changes in the law through the Criminal Justice Bill to create offences of aggravated trespass and mass trespass. Police are to be given additional powers for seizing equipment which they believe may be used in raves and festivals and arresting people who refuse to disperse.

In September last year, the retrial started but the jury was discharged after a new document came to light. This was "unfortunate", said Mr Langdale, but the document had been folded over and stapled to the back of another document and had not been seen before.

The case had received much publicity and the jury was told they should approach it with an open mind.

The court heard that Mr Quinn was arrested late on Sunday, December 23, after he had spent a day drinking in the Swan public house with friends. He had fallen and hit his head while waiting for a bus, and had been taken by a uniformed officer to Hammersmith police station.

Mr Kennedy was arrested after police had been called to a separate incident in Fulham and placed in the same cell as Mr Quinn.

About 45 minutes later, in the early hours of Christmas eve, 1990, the two men had been taken to the station after being arrested for being drunk in separate incidents in Shepherd's Bush and Fulham.

The jury was told that the defence case would be that a police officer or officers had made the attack on Mr Quinn, but the prosecution would seek to show that Mr Kennedy was responsible.

In February 1990, fresh evidence was presented to the Court of Appeal and a retrial was ordered.

The Court of Appeal was not in any way passing judgment on the guilt or innocence of Mr Kennedy, said Mr Langdale.

The case continues today.

# Police track travellers by computer

Duncan Campbell on the huge resources used to thwart New Agers and ravers

BULLETINS from the Southern Intelligence Unit, which co-ordinates information on New Age travellers and ravers for southern, West Country and Welsh police forces, indicate that their movements, nicknames and vehicle registration numbers are being monitored.

Publications are also analysed to work out what rave parties are planned.

What emerges from the bulletin, some dated as recently as February 9, is that considerable intelligence resources and computer time is being channelled into tracking the movement of travellers and ravers. However, some forces clearly believe they have few problems, but are obliged to take part in the intelligence-gathering operation.

Some forces have a more relaxed attitude than others. West Midlands are reported saying it had no problems with travellers or ravers.

Thames Valley police, while noting 129 vehicles during last year's Operation Snapshot, says there is no real problem with them. It also has a more liberal attitude to raves.

The intelligence unit has also been seeking a method whereby "week-enders" could be "weeded out" from others for the purposes of the computer.

In Operation Snapshot, police looked at how many travellers were in the country and where they had settled. There were plans to repeat this.

The bulletin also includes a request for an MTV video featuring a member of Spiral Tribe, which it is suggested can be used for "intelligence purposes". In fact, the woman has stopped travelling since recently giving birth.

One tactic being considered by police is obtaining blanket countywide injunctions against public events, according to correspondence.

Minutes of the unit's meetings suggest there is computer capability for 1 million records.

• Dance for Life, a London-based firm, has "done a deal" with the Ministry of Defence to allow 21,000 people to attend all-night raves at the disused former USAF cruise missile base at Greenham Common, Berkshire, on May 26 and August 27.

The plans have been submitted to Newbury council for approval.

# Howard backs down on police

Alan Travis  
Home Affairs Editor

**T**HE Home Secretary, Michael Howard, will today unveil a compromise to try to regain the confidence of the House of Lords for his "back to basics" law and order package.

It will mark his third attempt to get peers to agree his controversial reforms to restructure Britain's police authorities contained in the Police and Magistrates' Courts Bill.

Mr Howard's original proposal to increase the Home Secretary's direct influence over the bodies which oversee police budgets and appoint chief constables ran into the stormiest opposition for many years in the Lords last month, when three former home secretaries opposed the measure.

It is expected that the Home Office minister, the Earl Ferrers, will announce today that the Government has dropped its proposal to end the built-in local government majority.

Plans to introduce 16-member authorities made up of five Home Office nominees, three magistrates, and eight elected

councillors, are to be revised to add a further local government representative.

In future the minimum size of authorities will be 17. At present authorities have as many as 42 members made up of two-thirds elected councillors and one-third appointed magistrates.

A plan to appoint regional panels made up of two Lords Lieutenants and a professional recruitment consultant to select the Home Office nominees is also to be revised.

Mr Howard has dropped the decision to invite the Lords Lieutenants to make selections, after protests from amongst their ranks that the Home Secretary was seeking to involve the Queen's permanent representatives in the political process.

Instead, a complex formula is proposed to set up an independent selection panel which would include representatives from Chambers of Commerce and the Confederation of British Industry.

It is believed that the compromise will satisfy the Tory rebels in the Lords who have stalled all progress on the police reforms.

## 'Oddball' PC fired revolver at Guildford bomb suspect

David Sharrock  
In Belfast

**A**POLICE officer 'fired' an unloaded revolver at Guildford Four member Paul Hill, a former Surrey detective told the Northern Ireland Court of Appeal yesterday.

The man, identified only as witness B, said he was one of two firearms officers on duty at Guildford police station in November 1974 when Mr Hill and other suspects of the Guildford pub bombings were being held in the cells.

Mr Hill is challenging his conviction and life sentence for the murder of former soldier Brian Shaw, who was kidnapped and then shot dead by the IRA in Belfast in 1974.

The witness said he heard the unmistakable sound of at least two, and possibly three, clicks of the hammer falling on the empty chamber of a Smith and Wesson .38 revolver. The officer holding the gun, he claimed, was PC Gerry Queen, now an inspector, whom he described as a "pratt, an oddball and a loner".

"I was standing between the station office and the cell complex and I heard the click of a hammer falling on the chamber

of the gun and I saw that that was coming from the hands of PC Queen, who was standing alone in front of a cell with his gun pointing into the hatch."

"He didn't say anything. He turned and looked at me. There was an expression that was peculiar to him. It was more of a leer across his face."

Mr Hill has maintained that a gun had been pointed at him through his cell hatch.

Witness B served in the Surrey police for 18 years until 1983, the last three as a detective constable. He said: "To be honest I walked away, I was rather disgusted." He did not know who was in the cell or what day or time the incident occurred.

Reporting the incident would have been pointless, he said.

Witness B is the first of five former Surrey police officers called to give evidence about events inside Guildford police station when Mr Hill was said to have confessed.

Mr Hill, aged 39, and the other Guildford Four members had their convictions quashed in October 1989.

He has been on bail since then pending the outcome of his appeal on the Shaw murder charge.

The appeal continues.

GUARDIAN

1.3.94

New authorities to have local government majorities

# Peers jeer Howard rethink on police

Alan Travis  
Home Affairs Editor

**R**IBALD laughter from peers greeted the announcement in the House of Lords yesterday of a three-point climbdown by the Home Secretary, Michael Howard, over his police legislation which has taken a sustained battering in the upper house.

Their ridicule centred on a complicated compromise plan to select independent appointees to the new-style police authorities as part of the latest U-turn by the Government on a key part of its legislative package.

The Home Office minister, Earl Ferrers, acknowledged that peers had given the bill a "bumpy ride" and at times had presented their opposition "with a ferocity and a clarity of exposition not given to us all".

Rebel Tories and opposition peers welcomed the expected announcement that the Government was giving way on a central principle of the legislation and allowing local authorities a one-seat majority on the new-style police authorities to be set up in April 1995.

Their minimum size is to be increased from 16 to 17 with nine elected councillors appointed. Whatever their size the local councillors will always

have a majority of one. It is expected that the remaining places will be filled by five Home Office nominees and three magistrates.

But it was the proposed compromise over how the five Home Office nominees are to be selected — dubbed by one peer as "supervised co-option" — that was the source of ridicule in the Lords.

The original plan to ask a panel of Lords Lieutenant to select five nominees to be approved by the Home Secretary to sit on the 16-member authorities has been ditched.

In its place is a plan to set up new three-member selection panels composed of one elected councillor, one Home Office appointee and a third to be selected by the first two.

Forty-two of these panels will be set up — one for each police authority — and they will select 20 people whose names will then be sent to the Home Secretary. In turn the Home Secretary will reduce this 20-strong list to a shortlist of 10. The shortlist will then be sent to the police authority who will choose five to sit as co-opted police authority members.

The former Labour prime minister, Lord Callaghan, described it as an "extraordinary and absurd" procedure while the former home secretary, Lord Jenkins, said it was "pointless and farcical".

Lord Jenkins said the Home Secretary had suffered "humiliation by instalments" at the hands of peers over the Police and Magistrates' Courts bill. So far a total of seven concessions on key points of the bill have been announced. "It is a classic example of how not to legislate".

The shadow home secretary, Tony Blair, last night claimed that the entire legislation was now a "total and abject shambles" born out of the Government's failure to listen.

"We will now have independent selection panels that no one wants, choosing shortlists of nominees that no one supports, from which other members of the police authority will be forced to choose colleagues whose presence they disagree with — all to save a plan that no one has consented to."

However, peers decided not to continue to press their opposition on the grounds that would be like "firing shots into the back of a retreating army".

A third minor concession was also made on the Government's plans to reform police disciplinary procedures.

GUARDIAN

2-3-94

## TALKING POINT



with  
Brian  
Sedgemore  
MP



# SEEING THE SHARP END OF POLICING

I OWE my life to Pc Tim Hargreaves. Every time it seemed that I was about to die, he saved me with consummate skill.

It was Chief Supt Taff's idea that I should spend a day seeing policing from the sharp end.

He assigned me to a "fast response" vehicle driven by Pc Hargreaves. These vehicles should not be confused with their more sedate cousins, Panda cars.

Every time the emergency call came and the siren went, we set off as though there was to be no tomorrow.

As we hurtled through dense traffic, our past lives flashed by us and so did the backs of other cars, the fronts of lorries, bollards and walls.

Millimetres, and I dare say the fact that there is God above, saved us from unimaginable carnage. Tim seemed rather less concerned than I was.

### Under pressure

When the brakes finally slammed on, out we leapt - chasing suspects, taking statements and wondering what next was to come.

This was policing under severe pressure, calling for steady nerves and iron control. Truth to tell, I was enjoying the experience - but for Tim it was just a normal day.

There we were, going like bats out of hell to Tesco's in Well Street because someone's life was being threatened.

Then a period of relative calm until a known drug addict was seen in a compromising position. Looping around

the one-way system, we caught up with him.

He said he was begging, not buying drugs. Something was clearly bugging him, however, because before he left he gave us information about stolen goods in a car.

"Was he one of your informants?" I asked Tim. "No," he replied. Then we were told over the radio of a fight in Glenarm Road. Off we zoomed.

Two Asians complained of being attacked with a knife and baseball bat by four other Asians, a white man and an Afro-Caribbean. One member of the gang was identified: another was known to Tim.

"This could be a good one," said Tim as the alarm bells went off in the Midland Bank up by Clapton Common. Our response was so fast that we literally took off like an aeroplane. All that nervous energy and it turned out to be a false alarm.

Then came a report that a car was being smashed up in Daubeny Road. Then, amazingly, we had a 10-minute break and went for a cup of tea.

That's better, I thought. This is the life for me - hot tea and a sandwich in the canteen!

*Nice one, Tim.*

*Brian Sedgemore*

## Third trial for man accused of cell murder

ALLEGED police-cell murderer Malcolm Kennedy has begun his third trial for the savage killing of helpless drunk Patrick Quinn.

Kennedy, 47, is said to have "kicked, stamped and/or jumped" on Quinn as they shared a cell at Hammersmith police station in December, 1990.

Former restaurateur Kennedy, previously of Church Walk, Stoke Newington, and now living in Streatham, was convicted and jailed for life despite claiming that a mystery policeman was responsible for the barbaric attack.

In February last year, new evidence came to light. His conviction was set aside and a retrial was ordered by the Court of Appeal.

Then, last September, a document was found in the police papers as the retrial progressed which was of such significance that the hearing had to be abandoned and a second retrial ordered.

Mr Timothy Langdale, prosecuting, told the new trial that Kennedy was arrested after his aunt called the police and said he was drunk and would not leave her Fulham home.

Kennedy was "vehemently

and physically threatening" at the police station and was placed in a cell where, he later claimed, an unidentified police officer punched, kicked and beat Patrick Quinn to death.

There was "compelling" forensic evidence against Kennedy, added Mr Langdale.

Mr Michael Mansfield, QC, defending, said it was incredible that a diminutive figure like Kennedy could cause such horrific injuries.

"The kernel of the Crown's case is that this very ordinary character goes berserk, absolutely berserk," said Mr Mansfield. "He becomes a sort of Stoke Newington Rambo figure who just lets rip in an uncontrolled, frenzied attack. It is nonsensical."

Mr Mansfield said that the police not only killed Mr Quinn, but were involved in a cover-up. "The institution closed ranks, closed doors and closed files," he added.

The Crown have revealed that Pc Paul Giles, who gave evidence at the first three hearings, will not be called this time as he is mentally ill.

*The trial continues*

# Stores to get 'must reply' inquiry right

Alan Travis  
Home Affairs Editor

**T**HE abolition of a suspect's historic right to silence during police inquiries is to be extended to include questions from store detectives and private security guards, Home Office ministers have confirmed.

The criminal justice minister, David Maclean, has disclosed that it is the Government's intention that the courts should be able to conclude that a defendant is guilty if he or she remained silent when questioned by a private store detective. Judges will be able to direct juries to draw a guilty inference from the accused's silence if no other evidence is offered by the defence.

The disclosure is likely to inflame the already strong opposition from MPs, senior lawyers and civil liberties' campaigners to the Government's plans to abolish the right to silence.

Abolition of the right to silence is a key part of the criminal justice bill currently in its Commons committee stage. The Royal Commission on Criminal Justice, which reported last summer, opposed the abolition of the right to silence on the grounds that it would increase the danger of further miscarriages of justice. The Government has argued it is necessary to avoid its abuse by a hard core of professional criminals.

The confirmation that the Government intends to extend the abolition of the right to silence is disclosed in a "clarificatory" letter from Mr Maclean to Neil Gerrard, the Labour MP for Walthamstow and a member of the Commons committee examining the Criminal Justice and Public Order bill.

"The likelihood is that the courts will hold that an inference can be drawn from the

silence of a suspect when questioned by a store detective in the same sort of circumstances as when he was questioned by the police," wrote Mr Maclean.

He added that there would have to be similar safeguards as found in the police station and as prescribed by the Police and Criminal Evidence Act.

Mr Maclean conceded that he could envisage circumstances in which it would be "artificial and contrary to the interests of justice" for courts to assume the guilt of a defendant from refusal to answer questions when arrested by a store detective.

"For example, that he or she was embarrassed about admitting to absent-mindedness in front of onlookers but there is no reason to suppose that the jury will not be able to weigh the matter up and reach a just conclusion."

But Mr Gerrard said this development was outside anything which had been raised in the debate about the abolition of the right to silence.

"This is a very dangerous change. I cannot see how the safeguards which are to apply in the police station will be employed by a store detective outside a shop."

The Labour MP said it was very unclear who would be covered by this clause. It would be for the courts to decide whether a particular individual was "charged with the duty of investigating offences" under the law.

John Wadham, the legal officer of Liberty, said abolition was bad enough in respect of police questioning "but this is much, much worse". He added: "You could step outside a shop and find yourself being questioned by an untrained store detective and your failure to answer any of his questions could lead to your conviction later in court."

GUARDIAN

5.3.94

# Police informer 'set up drug deals'

Duncan Campbell  
Crime Correspondent

A POLICE informer who has helped to jail some of the major drug smugglers and dealers in Britain over the past five years claims he has frequently encouraged people to take part in drug deals that would never have happened without his participation.

He claims to have made tens of thousands of pounds from informers' funds while continuing to sell drugs.

His story highlights the grey areas between police attempts to arrest drug dealers and the way crimes come to be committed which might not otherwise have happened.

The Informer is known to police by the code-name Peter Poacher and his informer's number is 176. His real name is Nigel and he has worked under the names of Denny and John. The *Guardian* is not publishing his last name because it is uncommon and he fears reprisals against his parents, who live in the North of England.

He is being sought by associates of people on whom he has informed and by lawyers acting for people he has entrapped. His revelations could lead to the reopening of cases of prisoners who claimed he was the main participant in drug deals for which they were jailed.

Nigel, now 26, became an informer after being arrested on a drugs charge. Since then he has worked extensively for the police.

The rewards have been substantial — totalling, he claims, more than £35,000. He says he received the highest ever reward from the Number 3 Regional Crime

Squad, based in Wakefield, with a payment of £11,500 for arrest of an LSD smuggler.

Nigel, from Ormskirk, is the adopted son of a policeman and was introduced to drugs in Amsterdam.

About five years ago, police investigating a stolen car with which he was involved, raided his then home in Lincoln and found drugs. He offered to become an informer. "I gave them everything," he says.

He claims he set up a flourishing amphetamine trade in Newmarket and received money both from dealing and in rewards from the Community Action Trust, the Home Office's international fund, and the police.

Nigel also claims he supplied the recipe for an amphetamines factory. He says that as a result of his activities more drugs become available on the streets as small-time dealers build up towards big deals.

Detective Chief Inspector Geoff Cole, of Number 3 RCS, said: "We never comment on individual informants." He added: "It is standard practice that officers dealing with informants are constantly alive to the issue of agents provocateurs. If we had any reason to suspect that an informant was acting in such a role, we would terminate the operation and the informant would be liable to prosecution."

Nigel is no longer assisting the police and is planning to move abroad.

Last night, John Wadham, legal officer for Liberty, said that agents provocateurs were "part of the problem, not part of the solution."

Double dealer with poisonous sting, page 3

# Australian acid 'dupe' took one-way trip to entrapment

**I**N AMSTERDAM, Nigel met Ronnie Hanohof, an Israeli-born Australian, aged 36, with a drugs conviction in the United States, and told him of a possible cannabis deal in England. Hanohof agreed to fly to England to meet what turned out to be an undercover police officer, who put him up in the Hilton hotel in Derby.

The original deal was to involve 180 kilos of poor-quality cannabis, selling at £600 a kilo. The cannabis was in fact already in England but because of complications, the deal fell through.

Hanohof was told to keep in touch when he got back to Amsterdam. He was told that there was a call for Ecstasy and acid [LSD] because of the rave scene and was asked to look out for some.

"He was offering 1,000 to 2,000 tabs of acid originally," says Nigel. "So it was, 'Look, Ronnie, people don't deal with such small quantities if you want to do business, put a bigger deal together!'"

Hanohof provided 2,000 tabs but after delivering he was told the only way he would get the money for them was if he put together a much larger deal of 50,000.

Eventually, he agreed. In fact, Hanohof did not import the acid himself but met up with someone in London who was never caught.



Ronnie Hanohof... solving the drug problem 'irrelevant'

Hanohof met the undercover officers in a London hotel. As they were walking out, Hanohof, spotting a bystander, said to the undercover man, "for all I know, this guy here could be a policeman." The officer, says Nigel, muttered to himself: "He la, I was at a briefing with him this morning."

The police swooped and the undercover man fled. Hanohof screamed: "Why did you lure me to this country to do this to me?" In November 1992, he pleaded guilty and was jailed for six years. Nigel claims he received £11,250, one of the highest payments made that year.

The 50,000 tabs of acid made up more than 70 per cent of all seizures of the drug for the year and led to a variety of newspaper articles about a huge increase of acid.

Despite this apparent success, Home Office guidelines state: "The informant should always be instructed that he must on no account act as an agent provocateur, whether by suggesting to others that they should commit offences or encouraging them to do so."

Hanohof, who is in Parkhurst prison, said last week: "I fell into a well-planned trap. The rights or wrongs of solving the drug problem have no relevance."

He says that he had never lived in this country and had no interest in bringing drugs in until encouraged by Nigel. He reckons he has cost the taxpayer tens of thousands of pounds for a crime that need never have happened.

"I pleaded guilty with the motive being simple greed on my part," says Hanohof. "But how does that greed compare to someone like Nigel who would consciously set up a perfect stranger to face a possible 14 years in life in a country foreign to them, using manipulations, lures and psychological bullying over a period of almost a year to set up a bogus crime for a substantial cash reward?"

**T**he ecstasy and the agony of playing with a stacked deck

**I**n 1990, local papers in Suffolk ran a story reporting that a local "wide boy", Jonathon Hutchinson, from Great Barton, was wanted in connection with a £400,000 cannabis haul. Nigel had been to school with Mr Hutchinson's brother, William, and went to see him, pretending to be a sympathetic fellow drug dealer.

"I found they were bringing in cannabis by boat from Holland to Felixstowe. We started discussing prices. They were selling at £1,000 a kilo. William said, 'you're in luck, we've got 50 kilos in a watertower down the road.'" A deal was struck.

Although William Hutchinson suspected that the police might be on to them, he carried on with his plans.

The police certainly were on to him and on one occasion he fled by car, slinging cannabis worth £50,000 into a river outside Haverhill.

William Hutchinson escaped, and after reassurances from Nigel, a further meeting was arranged at a cafe on the A11 for the exchange of cannabis and money.

The undercover officers were dressed as mechanics, hiding beneath lorries. After they grabbed the dealers, Nigel fled. "I was grabbed by passers-by who thought I was trying to escape!" William Hutchinson was granted bail and fled to Holland. Nigel's job was to try to persuade the Hutchinsons to continue their drug dealing and to return to England.

Jonathon Hutchinson was seen by Customs and police as a prime catch — a charismatic young man, a member of a small religious sect, who had hired a 20-piece orchestra to propose to his girlfriend; he returned from being on the run in Holland with £2 million worth of Ecstasy in his car.

He never stood trial. In January 1991 he was killed in a car crash near Southwold with 100,000 tablets of Ecstasy still in the car — a record haul at that time. The three passengers, his brothers William and Daniel, and Thomas Weller were all arrested.

In January 1992, William Hutchinson, aged 25, was jailed for 13 years, Daniel, aged 22, for six years, and Mr Weller for 12 years at Ipswich crown court.

"I went out of the country because the defence were looking for me. They wanted me in court so they could say I was an agent provocateur," Nigel said.

## Customs' seizures as low as 4pc, claims study

**A**S LITTLE AS 4 per cent of the heroin smuggled into Britain is being seized, according to a survey published today which challenges the 10 to 20 per cent figure claimed by Customs and Excise, writes Duncan Campbell.

A report by the Centre for Health Economics at York University suggests that the cost-effectiveness of drug enforcement has been deteriorating since 1985. It argues there is a lack of accountability among enforcement agencies.

In their study, Trends on the Cost Effectiveness of Enforcement Activity, Professor Alan Maynard and research fellow Matthew Sutton say the annual publication of the amount of illicit drugs seized by Customs and police is traditionally accompanied by concern pressed about the growing problem.

The authors argue there is no basis for claims that drug traffickers are being successfully tackled.

Customs and Excise have traditionally suggested that they seize roughly 10 per cent of all drugs imported and possibly as much as 20 per cent. The survey disagrees: "Based on annual figures, Customs rarely achieved the 10 per cent rate."

In 1987 and 1988, the study suggests that a more accurate figure would be 4 per cent. The estimates are possible for heroin because there are Home Office figures on heroin use but not for other drugs.

The budget of approximately £335 million in the last financial year is divided equally between police and Customs. The level of spending increased by 74 per cent for the police and 38 per cent for Customs over the

period 1979-89 but, says the study, were not matched by equivalent increases in impact on the heroin market.

The study adds: "The light grip which the police had on the domestic heroin market declined after 1985."

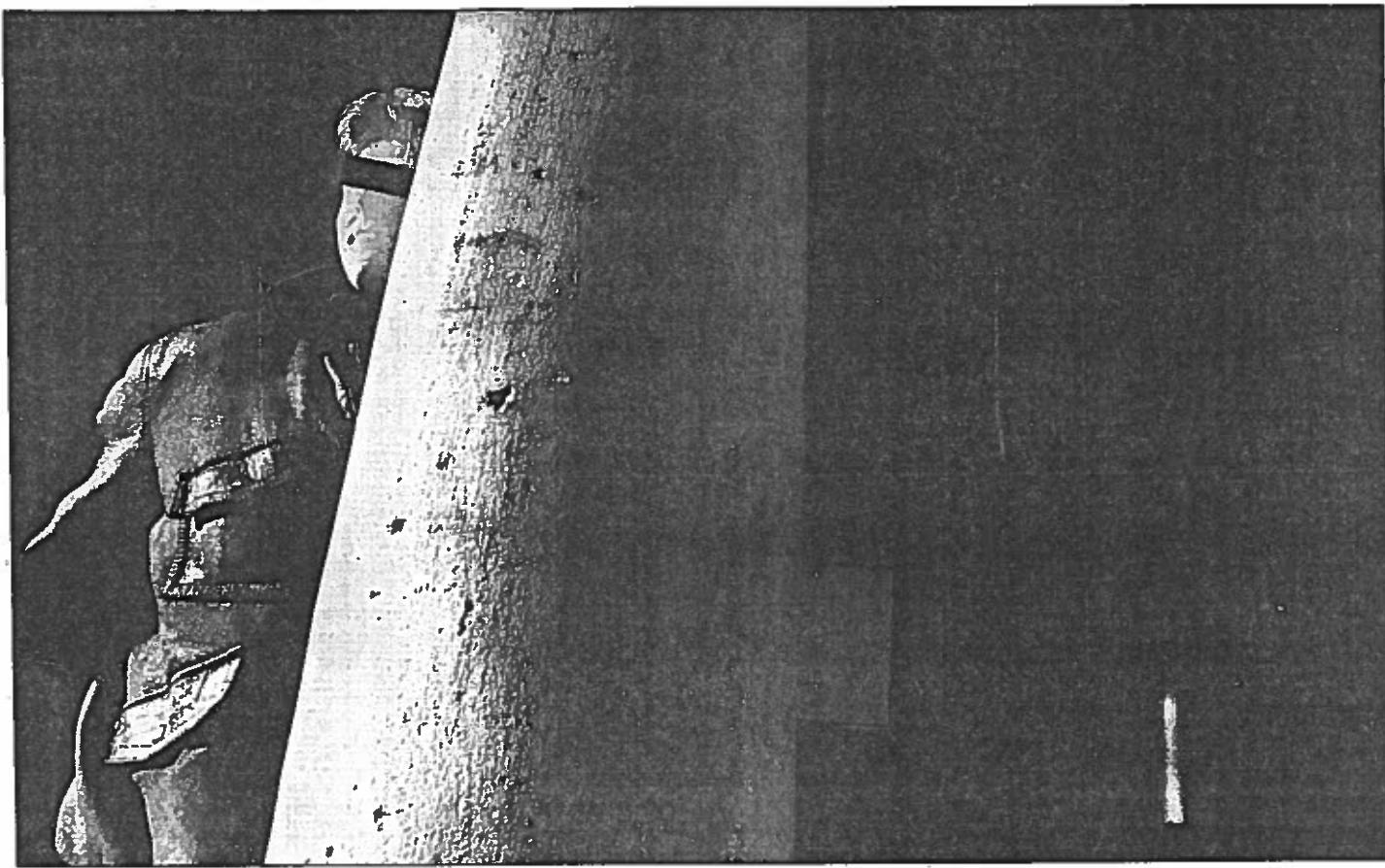
The authors suggest that there is an overall picture of decreasing cost-effectiveness. "The lack of accountability for the significant increases in public funding enjoyed by drug enforcement agencies during the 1980s is surprising, particularly in a period when the dominant political rhetoric emphasised 'value for money'."

*Trends in the Cost Effectiveness of Enforcement Activity in the Illicit Heroin Market, 1979-1990, Matthew Sutton and Alan Maynard, Centre of Health Economics, University of York, £4, including postage.*

'These people wouldn't have imported such a substantial quantity of amphetamine if I hadn't encouraged them. Some weeks I could earn £4,000-£5,000.'

CAMPBELL

2.5.94



Going Dutch . . . Nigel got into drug dealing after he met his real mother in Amsterdam. He made sure he cashed in while others paid a heavy price from his double act. PHOTOGRAPH: CHRIS THOMOND

## Double dealer with a poisonous sting

**T**HE Suffolk teenager who left school to attend a motor vehicle college in Bury St Edmunds some 10 years ago seemed destined for a settled and unremarkable life.

His parents, a policeman and a nurse, had adopted him but had never hidden his origins from him. They hoped he would make something of himself and were pleased when he became an apprentice engineer.

But within three years he had become a leading drug dealer, helping to finance a flashy lifestyle by informing on associates as well as encouraging them to carry out larger and larger smuggling operations. He had become an informer and an agent provocateur.

The changing point came when Nigel was 17 and discov-

ered that his real mother was alive and well in Amsterdam. He went to visit her. Her life was very different from the one he had been living in Walsham-le-Willows in Suffolk.

He was introduced to the drugs scene and soon realised that drugs were more lucrative than lathes, and he started to meet people involved in the business. Cocaine in England cost £23,000 a kilo at the time and his new-found relatives were able to suggest contacts in England who would pay £1,140 an ounce, which would translate into £40,000 a kilo.

He decided he would smuggle cocaine into Harwich himself. He brought in nearly half a kilo and set about distributing it in Aylesbury, Leamington Spa, South Shields, Blackpool and Slough. The profit was substan-

tial. He made further runs, by air into Gatwick, but then his luck started to turn.

"I rolled my Ford RS Turbo on the A1 and had it 'rung' [replaced with a stolen car, keeping the legal registration] for £250."

In 1989, as he was weighing out cocaine at a house in Lincoln, the police, tipped off about his stolen car, arrived and found a spoon with drug traces and an amphetamine sulphate recipe. He was arrested and held for three days. But he saw a way out, becoming police informer. "I gave them everything."

He went through all his contacts and was released into the custody of the regional crime squad.

He was soon put to work. The target was a dealer in Barking.

east London. "It was a textbook bust. The undercover officer had £5,000 'flash' money [to 'flash' at would-be dealers.] The man insisted that the money was brought in. I insisted the gear came out. He wasn't happy."

The undercover man went to get the money out from the boot. That was the 'strike' signal for the police to move in. We made good our 'escape', burning the tyres and making it look like we had really made a getaway. The guys were busted. It was drinks all round in the evening at the Isle of Dogs, which was where we were to do the next bust."

Nigel then encouraged an East End contact to set up a 10 kilo cannabis deal. "Flash" money of £19,500 was provided.

Again the target was encour-

aged and again Nigel fled, running down the street to be picked up by an unmarked police car.

"I set up a four-kilo amphetamines deal which resulted in a four-year sentence. Whereas people wouldn't normally have anything to do with such large quantities, I would encourage them to go out and find the drugs. I would spend a few days with them and convince them. I was given expenses money, money to rent vehicles and got a lump sum payment."

In Newmarket, he set up a flourishing amphetamine business, he says. This gave him the credibility to carry on buying. "I would then inform on them and get a reward for the bust. I was effectively working a double sting. I was getting money from drug users and

handover and again Nigel fled, running down the street to be picked up by an unmarked police car.

"The police payments would be immediate but the CAT took up to a year. The international fund — which the Home Office runs — would be a few weeks. There was a minimum of £5,000 and the best I ever got was £11,250."

"In the meantime I was bringing in Kruggerands as a VAT fiddle but I was never charged."

Nigel claims his activities stimulated drug dealing rather than curtailing it. "These people wouldn't have imported such a substantial quantity of amphetamine if I hadn't encouraged them."

However, he was arrested, along with his mother, on the French-Belgian border. Both

were convicted of conspiracy to traffic and jailed in Dunkirk, and later in Loos, for one year.

He was told by one of his dealing friends about premises where a businessman was believed to have £200,000 in his safe. The plan was for four men to steal the money but the robbery did not go ahead. Arrests were made for conspiracy. Nigel was also held to keep his cover intact but was never charged.

He also claims he encouraged dealers to set up their own amphetamine factory.

He says he has received around £35,000 in rewards and has relied heavily on dealing activities. "Some weeks I could earn £4,000-£5,000. In all of the jobs, whatever someone was capable of dealing I would suggest that they double or treble that amount. People like me en-

courage them to put together larger amounts so there are more drugs as a direct result of them being encouraged."

Detective Chief Inspector Geoff Cole, of the regional crime squad, said he would not comment on an individual informer or confirm his existence. As for agents provocateurs, he said: "If we had any reason to suspect that an informant was acting in such a role, we would terminate the operation and the informant would be liable to prosecution."

Nigel no longer has any connection with the police who, he says, do not wish to have anything more to do with him. He is planning to move abroad.

Tomorrow: agents provocateurs and the international drug smuggling scene.

**ONE WAS  
to be an  
ingredient of  
a raid  
which could  
have netted  
£40m. The  
appeal court  
heard the job  
'would have  
folded' but  
for undercover  
officers**



PHOTOGRAPH: CHRIS THOMAS

Duncan Campbell on  
agents provocateurs

Nigel the informer, codenamed Peter Poacher, enjoys his freedom from the double life of helping police nail drug dealers

GUARDIAN

7 2 94

## Police 'were driving force' behind robbery plot

**A**GROWING number of cases in which agents provocateurs are alleged to have been involved are now being tested in the Court of Appeal.

Lawyers have voiced concern at the increased use of such methods to achieve conviction and as a former police informer has claimed in the Guardian that he routinely set up drugs deals in order to claim the rewards.

Carl Harrison, aged 31, from Hounslow, west London, was convicted of a conspiracy to rob

and kidnap between March and December 1991 and was jailed for 18 years in October 1992. At his trial at the Old Bailey, the plot was described as "a robbery planned to rival any robbery that has ever taken place" and would have yielded, it was claimed, between £6 million and £40 million from the KLM warehouse at Heathrow. The court was told how the robbers planned to torture the wife of the KLM cargo supervisor to ensure his co-operation.

Last month, at the Court of Appeal, Harrison claimed that

the plot would never have proceeded if it had been left to him and his co-defendant. He alleged: "The whole thing would have folded up. The job just would not have happened."

"It wasn't me that bought the handcuffs, the bandage, the Elastoplast, the washing line or hired the van (which were to be used in the kidnap)," claimed Mr Harrison.

At his trial, it was alleged that Mr Harrison had played the part of the "heavy" in the plot and had been a willing participant.

Mr Harrison's lawyer, Peter Hughman, said yesterday: "This job had been offered around by the police to lots of real criminals who had all turned it down. They ended up with Carl Harrison who had only one previous minor conviction. He had no real criminal experience. It was preposterous."

Nigel, code-named Peter Poacher, who worked as an informer for five years and whose story appeared in yesterday's Guardian, claims that the role of the agent provocateur is in-

creasingly important in drugs cases. He said yesterday he had ended his association with the police and was happy not to be living a double life any more. He said he planned to move

abroad. Describing his activities, he said: "I would set people up at the same time as I was dealing drugs myself. I would be encouraging people to get into a different league from what they were in. If they were a small dealer I would encourage them to become a medium dealer and so on until they were dealing

enough to make it worthwhile to arrest them."

The police say that they are conscious that informers may seek to set up jobs so that they can then claim rewards but claim that if any such plot is discovered the operation is abandoned and the informer himself may be prosecuted.

But they also suggest that the changes in the criminal justice system, as a result of the miscarriages of justice that came to light at the end of the eighties, have made convictions of organised criminals more difficult.

They argue that there is pressure on the police now to catch criminals red-handed if they are to ensure a conviction. For this reason, the use of the informer is crucial.

The police add that new rules of disclosure, whereby the defence can seek the identity of an informer, has had a major effect on cases; informers are increasingly reluctant to come forward for fear their identities will be exposed. The police say they are having to abandon cases to preserve the anonymity of their informers.

## Trucker turned smuggler to escape road to ruin

### Case history

**'Way out' of money troubles led Graham Appleton into a Customs trap**

**G**RAHAM Appleton ran into financial problems with his haulage business in St Helensdale, Lancashire, in the early 80s. A former Mercedes mechanic, he had run his own firm for seven years but had come unstuck during the recession when a French company reneged on a £26,000 debt. He disposed of four of his seven vehicles and in 1991 started an import/export business.

But he was still facing money troubles when he met a man called Barry Clarke through a friend who had asked for advice in buying his own vehicle.

Clarke asked if he knew of anyone who would like to make some money doing a simple lorry run between Spain and England with some cannabis concealed on board.

Appleton says that he originally told Clarke that he was not interested. He had no previous convictions and did not feel that cannabis smuggling was his game.

But, he claims, Clarke would not take no for an answer and would phone him up, pestering him and explaining how easy the whole operation was and how little risk there was involved.

"He kept pushing and pushing, saying 'come on, let's get to work,'" says Appleton. Clarke said that there was £5,000 on offer if he would drive a lorry from Gerona in Spain to an agreed layby further north in Spain. Appleton refused to drive it any further or across borders because there was no proper documentation. He abandoned the lorry, which was driven into Britain by Clarke with the Customs' knowledge and agreement.

Appleton was contacted by a friend of Clarke's and asked to pick it up again in England for a final stage of the journey from New Mills in Derbyshire to a service station on the M62.

But there was no one there so he took the lorry on to St Helensdale.

There he was arrested. Appleton did not realise that Clarke was already working with Customs and Excise,

who were following every move of the shipment from Spain to England.

Photographs were being taken of those involved — Appleton was one of a small team — and clandestine tape recordings made to implicate them. Clarke used to say "speak up — I'm a bit deaf today" so the tape-recordings would be clear.

Appleton was arrested on March 10, 1992, while he waited for the lorry's fuel tank — in which the drugs were hidden — to drain. On December 18 1992 he was convicted at Bolton crown court of importing drugs worth £300,000 and jailed for 10 years. "In my opinion they created this crime," says Appleton who is serving his sentence in Full Sutton jail.

"I had no criminal record. I was thinking, 'what the hell am I getting involved in,' but my troubles pushed that aside.

"I am not saying I was innocent but really it should never have happened. It's a good way to earn a living for Barry Clarke, creating the crimes and getting paid for it — somewhere in the region of £30,000 for our job.

"When you're on your uppers, it's very easy to fall into the trap of temptation, especially if it's offered on a plate.

"It does say in the Bible lead us not into temptation ... His girlfriend Sandra Rouillon, a dance teacher from Liverpool, said: "I had total faith in British justice before, but this has destroyed it."

"I've seen people arrested all over the world and thought 'thank God I'm British.' That has completely gone."



Graham Appleton ... 'I am not saying I was innocent but really it should never have happened'

## Murder trial PC counselled for aggressive behaviour

Duncan Campbell  
Crime Correspondent

A POLICE officer present in the police station on the night a man died in a cell told an Old Bailey jury yesterday that he had received counselling for aggressive behaviour.

PC Emlyn Welsh was giving evidence in the trial of Malcolm Kennedy, aged 46, a restaurateur from Stoke Newington, north-east London, who is alleged to have murdered Patrick Quinn, 56, an unemployed labourer, from Donegal, in a cell in Hammersmith police station, west London, on Christmas Eve, 1990.

Mr Kennedy was convicted of murder in 1991 but the conviction was overturned on appeal,

following new evidence uncovered by the Granada programme *World In Action*, and a re-trial ordered.

Yesterday PC Walsh agreed with Michael Mansfield, QC, counsel for Mr Kennedy, that he had received counselling and said he had been under pressure both at work and domestically. "I am pleased with the progress I have made."

Mr Mansfield has suggested to the court that Mr Quinn was killed by a police officer or officers and that others took part in a cover-up. PC Welsh denied this.

He denied having seen blood on the shirt of his fellow officer, PC Paul Giles. "I would have wanted to know why an officer had blood on his shirt," he said. The case continues.

GUARDIAN 7-5-94

# Neighbours cash in on city's grim notoriety

Owen Bowcott reports on the market rate for background information as eighth body is unearthed in heart of Gloucester bed-sit land

**D**RIVING heavily on a hand-rolled cigarette and craning to peer over the crush of press photographers, a middle-aged man stood on the edge of the crowded pavement.

"I used to stay in number 28," he volunteered, hinting at further revelations. "It was right opposite that house. We used to go across, me and my girlfriend, back in the 1970s.

"There's stories I could tell you, little stories, they've got to be worth twenty quid at least." He stopped, and stared imploringly.

"Well, I'll look for The Sun then . . . I think everybody is at it, at the moment. You can't blame them asking for money if there's a buck to be made. People need it. I've never seen the street so busy."

The descent of the interna-

tional media on Gloucester's bedsit land surrounding the suddenly notorious address in Cromwell Street — where police yesterday said that an eighth body had been found — has sent inflation for selected services soaring.

In the bar of the nearby Wellington Arms, a group of local builders were trying to sell access for photographers to a vantage point overlooking the rear garden of number 25.

"It's got to be worth a ton, £100," one ventured. "You can get a clear sight right onto the garden."

Rumours abounded that a British TV company had already paid £1,000 for a clear view of the police excavations at the back of the so-called 'House of Horrors.'

One lunchtime drinker boasted that he had been offered £600 for an exclusive account of life inside the

Wests' home by the Sun newspaper. He proudly displayed the name of a reporter and his mobile telephone number.

Another regular offered to contact an old lady who supposedly knew the family at number 25 very well. Later he demanded £40 for the woman — to buy her food and goods, he said.

But not everyone was so quick to mention cash. Many residents were open and helpful, recounting what little they knew about Fred West, the man already charged with three murders.

Another worker there said that Mr West often carried out jobs and work on local people's homes. "He was always very willing to help. One of our customers was in the house recently. At the time he was artexing a ceiling in her home. I don't think she liked his style of decoration."

Others described him as al-

ways polite to others.

Saeed Jetha, who used to

live opposite the Wests' home

in Cromwell Street, recalled seeing a lot of people going in

and out of the house. "He had a couple of rooms to let over the years," he said. "He was a very ordinary person. Once he went round and repaired a window for a friend of mine. He didn't charge any money for doing it. He was quite helpful to neighbours: he got on with everybody."

With published information restricted through fear of contempt of court proceedings, only the foreign media was having a field day reporting the full extent of the varied allegations current in Gloucester.

The crowds of sightseers, many from outside the town, mingled with journalists from Japan, Israel, Belgium and Italy. "Gloucester has to be one of the most attractive cities in the country," said Chief Inspector Colin Handy at the scene. "It's inevitable but this is putting Gloucester on the map for all the wrong reasons."

Reports that commemorative tee-shirts were about to be printed, with the slogan 'Nightmare on Cromwell Street' have proved so far unfounded.

**Duncan Campbell and Owen Bowcott on the implication for police resources**

ing is given on occasions to forces which have to cope with major incidents.

Seventy officers from Gloucester police — 30 detectives and 40 from uniformed branch — are currently involved in the inquiry.

"The numbers grow every day," Chief Inspector Colin Handy said yesterday. "We are a very small force of around 1,200 people and we're using them all on a rota basis."

He denied that a shortage of officers was hampering the investigation, which is expected to involve digging up to three more sites in the coming weeks.

Reinforcements have not been drafted in. But police involved say the search of new addresses is being phased over weeks because not enough men are available.

Gloucestershire constabulary, which has 1,150 officers and 400 civilians, is responsible for providing protection officers for three royal households: the Prince of Wales's home at Highgrove House, near Tetbury; the Princess Royal's home at nearby Gatcombe Park; and Prince and Princess Michael's home at Stroud.



Street life... The scene yesterday at Coldharbour Lane, Brixton, close to where the shooting took place. Below, PC Jim Seymour in hospital and PC Simon Carroll

MAIN PHOTOGRAPH GRAHAM TURNER

## Police chief says shootings bring armed force closer

**Duncan Campbell and Alan Travis**  
find moves to cut the number of officers with guns being undermined

**T**HE likelihood of an armed police force has come a step closer with the shooting of two policemen in Brixton, south London. Paul Condon, the Commissioner of the Metropolitan Police, said yesterday. Plans are already in hand to increase armed response vehicles in London.

The two uniformed officers were shot on Wednesday night with a handgun by a motorcycle pillion passenger when they stopped two men on the bike during a routine patrol.

PC Simon Carroll, aged 23, a single man, was seriously wounded in the leg. PC Jim Seymour, aged 31, married with two daughters, was injured in the back but was sitting up and receiving visitors yesterday. Both live in south London. Three men were arrested in connection with the incident at south London addresses yesterday.

Describing the incident from hospital, PC Seymour said: "As I turned my back I heard shout-



ing and a shot and Simon scream out. As I turned round, I just saw a gun and I was shot in the back. I knew Simon was quite bad from the way he screamed. I tried to get to him, but the pain was too bad and I just couldn't move."

Mr Condon said that the arming of Metropolitan Police officers would be "event-driven", and the latest shooting made it more probable, although it was not yet inevitable.

"There will be more armed officers on the streets as a result of this incident," he said. "There is only so much I can ask these officers to take. This event takes us even closer. Each time we get one of these incidents, the frequency of them increases the possibility

and indeed the probability of more and more police officers being armed."

He said he would look at the possibility of arming officers in high-risk areas. "But we are not at the stage of officers being allowed to choose whether to be armed."

There are more than 2,000 officers trained in the use of firearms in London and at any one time there are hundreds deployed on the streets.

A total of 600 sets of anti-ballistic, knife-resistant body armour was issued to officers this week. There are also more than 3,000 sets of anti-ballistic armour and 300 sets of knife-resistant armour available. They can be used by any officer on request, but are cumbersome

and might not have provided protection in the latest incident as they cover the upper body and not the legs.

The Police Federation chairman, Dick Coyle, said yesterday that pressure was growing for the arming of officers in danger areas. "Rank and file officers patrolling in these dangerous areas look to those responsible for their protection and are asking 'what are you going to do?' The politicians and chief officers are going to have to take responsibility for that decision."

"Sending unarmed officers into those areas no longer looks like an act of considered policy but an act of folly."

He said urgent consideration must be given to providing offi-

cers with more protection, including defensive batons and lightweight body armour. The federation has commissioned an opinion poll among constables on arming officers.

The predictions made nine months ago by senior police officers that armed police would be on the streets as "a matter of routine" by the end of the century have already become true for those cities hit by successive IRA attacks.

A year ago it was the policy of the Metropolitan Police to reduce the number of officers authorised to carry firearms. The number of officers licensed to carry a gun was cut by 500 to about 2,000. About 1,300 of these officers are attached to specialist units, including the anti-

terrorist, royalty and diplomatic protection squads. The remainder are based in local divisions.

The policy was formed after the police shootings of Stephen Waldorf in 1983 and Cherry Groce in 1985, and envisaged a further fall of about 700 in the number of armed police officers in London.

But the policy has been undermined by the spread of guns in inner cities, illustrated by seizures of large arsenals, including sub-machine guns, in Liverpool and London.

Five armed response vehicles are on patrol at any one time in London. Last year they dealt with 10,000 incidents, and officers drew their guns on 250 occasions.

## 'A boy was stopped for carrying a gun. He was only 11'

**Alex Bellos on the London suburb that has lost none of its notoriety despite efforts to regenerate the area**

**T**HE 15-year-old boy, wearing a thick brown coat that defied yesterday's sunny weather, limped past Rushcroft Road. He darted into a doorway as soon as he caught sight of a television crew filming the street where two policemen were shot the night before.

"I can't let them see me. You want to keep quite a low profile round here," he said as he leaned against the wall and pointed to the trainer on his left foot.

"I was shot there a few months ago," he said. "A guy came on to my estate when he shouldn't have done. I tried to get him off. He shot at me. He tried to kill me but it never worked."

Welcome to Brixton 1994.

Despite sterling efforts by the Government, Lambeth council, and businesses to regenerate the area since it was torn apart by rioting in 1981 and 1985, the south London suburb has lost none of its notoriety.

On Coldharbour Lane, which runs past Rushcroft Road and is said by police to be the centre of drug dealing in the area, most of the young people echo the boy's account of an adolescence where truancy, guns and drugs are a way of life.

Tasha Shaunte, a 17-year-old business administration student, applauded the previous evening's shootings. "It's about time the police got shot. My little sister got shot over there. It wasn't meant for her. It was two boys having a personal argument. But the police didn't make any big thing about it.

"People I know have guns. You have got to have protection round here, because the police don't protect you."

In the Favourite Fried Chicken fast food restaurant, the owner, Khowaja Shahabuddin, said: "I think every second person on this street

is selling drugs. They often come into my shop and do the dealing. I see them pass packages and money to each other. They harass my staff. I cannot do anything about it."

No one asked felt that anything was getting better.

Molly Cowley, aged 44, who lives in Rushcroft Road with her six-strong family, said the violence was increasing. "I am terrified round here. None of us go out at night. It is common to see drops of blood somewhere on the streets in the area on a Sunday. There will always be a violent fight on Saturday night."

"I am sure it is the youngsters. A boy was stopped a while ago for carrying a gun. He was only 11 years old."

Walk a few blocks from Coldharbour Lane and you enter parts of Brixton which have been gentrified since the riots. Groups like Sun Alliance have invested hundreds of thousands of pounds and millions more will be spent by the year 2000.

Also, under the Brixton Challenge scheme launched last year the Government is

putting £37.5 million into regenerating the area over the next five years. The cash will be used to tackle unemployment, lack of housing and poor education.

PC Roy Foster, who has

worked at Brixton police

station since 1977, was guarding the scene of Wednesday's shooting before the police forensic team turned up yesterday.

He said: "At the moment I am quite happy not to have a gun. Mathematically the

chances of this happening are very remote. You are more likely to come across someone with a knife.

"This may be Brixton but you still have more chances of getting hurt attending to a domestic situation."

GUARDIAN

11-5-94

51

## **City police pay record damages to Guildford Four protesters**

THE City of London police yesterday agreed to pay £40,000 — the biggest damages award in the force's history — to six people arrested during a demonstration in support of the Guildford Four in 1989, writes *Madeleine Bunting*.

Hearing of the demonstrators' case, concerning allegations of assault, wrongful arrest and false imprisonment, was due to open yesterday in north London. But at the last moment, the police increased a £10,000 settlement offer to £40,000. Five defendants will receive £7,500 and one who had reached a settlement two weeks ago will receive £2,500.

The six were arrested when Mikhail Gorbachev visited Guildhall in the City of London with Margaret Thatcher on April 7, 1989. The six were protesting at the plight of the Guildford Four, then still serving sentences for pub bombings in Guildford and Woolwich.

Police arrested the demonstrators, and held them at the Bishopsgate police station for more than four hours before releasing them without charge. The six demanded exemplary damages for what they claimed was police conduct deliberately aimed at stopping a peaceful demonstration. City of London police denied the allegations.

GUARDIAN

12-3-94

# Howard tells police to curb cautions

Alan Travis  
Home Affairs Editor

**P**OICE officers should seek the views of the victim of a crime as a matter of routine before any offender receives a caution, rather than being prosecuted, say new national guidelines published by Michael Howard, the Home Secretary, yesterday.

The circular to police forces discourages the use of second or third repeat cautions and bans the use of cautions for the most serious offences.

Mr Howard said that in 1992 there were 1,735 cases of offences triable only in the crown court in 1992, including rape and an attempted murder, in which cautions were used.

Use of cautions in serious cases should be reserved for exceptional cases.

Cautions involve an offender admitting his guilt and form part of his criminal record. About 300,000 cautions were issued last year, and research shows about 90 per cent of

young offenders cautioned do not come into contact with police again.

The new guidelines replace previous circulars in 1985 and 1990, which encouraged police to use cautions.

"From now on, your first chance is your last chance," said Mr Howard. "Criminals should know that they will be punished."

The guidelines say that repeat cautions should only be considered where the second offence is trivial or a decent period of time has elapsed from the original offence. They also remove any presumption that juvenile offenders should be cautioned rather than prosecuted.

The guidelines suggest it is desirable that the victim should be contacted by police to establish how serious they consider the offence and whether the offender has made any form of reparation.

Probation officers yesterday predicted that abolition of multiple cautioning would result in a further 60,000 prosecutions a year.

## Stop and search powers extended

Alan Travis  
Home Affairs Editor

**T**HE police are to be given enhanced stop and search powers in the wake of the IRA attacks on Heathrow and recent shootings of police officers.

Officers would be authorised to stop and search anybody within six hours of a violent incident, regardless of whether there are any grounds for suspicion.

The changes go further than the stop and search powers contained in the new Criminal Justice Bill, which put the anti-terrorist roadblocks surrounding the City of London on a firm legal footing.

Michael Howard, the Home Secretary, wrote yesterday to the Association of Chief Police Officers saying the new powers "seemed a suitable approach" where police were operating checkpoints after a terrorist alert in a target area.

Mr Howard has also been considering similar powers for use in areas where police have

been attacked, to prevent the carrying of knives or other offensive weapons. He has told the association that he shares chief constables' concern at the increase in incidents involving such weapons.

Mr Howard has asked police to demonstrate the practical implications of these new powers before he brings forward amendments to the Criminal Justice Bill.

● A bomb discovered under a railway track close to Sevenoaks station in Kent could have been planted by terrorists before Christmas, police sources said last night.

The device was spotted by a BR worker carrying out a routine check just before 8am yesterday, and caused trains to be halted and nearby roads closed while it was made safe and the area searched for other devices. The station was able to reopen last night. Police said the device contained about 1lb of high explosive, and indicated that there was a "strong probability" that it had been planted in December as part of a series of attacks on lines into London.

## Ex-policeman challenges court

Duncan Campbell  
Crime Correspondent

**A** FORMER police sergeant who left the service while facing disciplinary charges yesterday denied taking part in an assault on a man who was found dead in a police cell.

During cross-examination at the Old Bailey, the former Metropolitan officer refused to answer further questions and challenged the court to take what action against him it thought fit.

Edward Henery, now a student in Wales, was giving evidence in the trial of restaurateur Malcolm Kennedy, aged 46, who is pleading not guilty to the murder of Patrick Quinn, a 56-year-old labourer who was kicked to death in a Hammersmith, west London, police cell on Christmas Eve 1990.

Both Mr Quinn and Mr Kennedy had been taken to the station after being arrested for being drunk.

Mr Henery, who was one of two custody officers, said Mr Kennedy had been awkward and unco-operative after his arrest. He had made it difficult for officers to search him.

Cross-examined by Michael Mansfield, QC, for Mr Kennedy, Mr Henery denied he had assaulted Mr Quinn.

"I'd like to see you supply some evidence instead of this rubbish," said Mr Henery. "I had nothing to do with what went on in the cell."

He agreed with Mr Mansfield that he had difficulty in controlling his temper. He also agreed



Malcolm Kennedy: third trial for murder in police cell

that he was facing 17 disciplinary charges when he left the police last year. He said he had been involved in violent confrontations with prisoners but had only used necessary force. He denied that he had shamed illness to avoid a disciplinary hearing.

When pressed about shamming illness, Mr Henery said: "I'm not going to dignify that. I'm getting a bit fed up. I'm not standing here on trial. I'm not happy to stand here and be pilloried. If the court doesn't like it, it can deal with me."

Mr Mansfield asked him if he knew what a "propensity for losing control" meant.

Mr Henery replied: "Don't insult my intelligence."

This is Mr Kennedy's third trial. He was convicted at the first but the Court of Appeal ordered a retrial after fresh evidence became available. This was halted for legal reasons.

The trial was adjourned.

GUARDIAN

16.3.94

# Drugs war futile says police chief

Duncan Campbell  
Crime Correspondent

**T**ALK of "waging a war" on drugs was a pointless exercise, a senior police officer said yesterday.

Children were more likely to be introduced to drugs by family members or close friends than by strangers at the school gates, Commander John Grieve, director of intelligence at the Metropolitan Police, told the London Drug Policy Forum at Guildhall. All the police could do was "sit on the lid" of the drugs problem.

Solutions had to be found through education and local initiatives. It had to be recognised that Britain could not build a wall that would stop drug traffickers operating.

"We've blamed Hong Kong, the Chinese, Thailand, the Golden Triangle, the Golden Crescent, Turkey, the Balkan Route and the French Connection before you even start on America, South America and the Caribbean," said Mr Grieve. "There is hardly anywhere we haven't blamed, and that turns you away from the problems within your own community."

The drug dealer was not a man in a dirty raincoat at the school gates but people's own families and friends. "When parents demand we arrest the dealers, it is their own children they are referring to.

"This is a call to mobilise society, not in some xenophobic half-baked civil war on ourselves and our children — what would we call it, Operation

King Lear? Operation Greek Tragedy? — but as a search for solutions which lie within our own heads."

Mr Grieve, who ruffled feathers last year when he told the Association of Chief Police Officers that it might be time to think the unthinkable and debate decriminalisation, touched on legalisation again but said neither the public nor the Government wanted it.

There were too many imponderables such as at what age would possession of drugs be allowed, which drugs should be legalised and Britain's involvement in international treaties.

Despite draconian legislation introduced in 1986 in the form of the Drug Trafficking Offences Act, drugs continue to flood into Britain. There now needed to be research into why this legislation appeared to have had little overall effect.

The street cost of drugs was estimated at £3 billion, though the figure was cloud-cuckoo-land. For police "a day when it doesn't get any worse is a good day. I've yet to see that day."

Mr Grieve said officers were out in the gutters being maimed and killed to protect the public from drug-related violence. He suggested up to 24 per cent of burglaries were drug-related.

He described one drug-taking thief who committed 959 crimes to support a habit, including 600 burglaries, 130 street robberies and 220 thefts from cars. At one stage the man was committing 100 burglaries a month.

"We have victims who refer to 'their burglar', having been burgled eight or nine times."

GUARDIAN 19.3.94

Big rise in amphetamines, heroin, cocaine and cannabis

# Crack blamed for 10 drug murders

Duncan Campbell  
Crime Correspondent

**T**HERE were 10 murders and 21 attempted murders linked to crack cocaine in annual figures on drug trends published yesterday. There have also been record amphetamine seizures and a large increase in the cultivation in Britain of skunkweed, a powerful strain of cannabis.

Detective Chief Superintendent Tony White of the National Criminal Intelligence Service said that the deaths were a worrying development.

The provisional figures, compiled by NCIS from Customs and Home Office figures for seizures of drugs at importation and distribution stages, show that most types of illicit drugs continue to increase. Stuart Wesley, director of drugs at NCIS, said that there was a continually growing level of drug misuse.

Cannabis and amphetamines remained the two most popular drugs. Almost a quarter of all 16 to 29-year-olds had taken cannabis at some time and nearly 10 per cent of 14 to 15-year-olds, he said.

There had also been an increase in the use of steroids, which could produce violent side-effects known in America as "roid rage".

The 1993 figures, compared to 1992 figures, for the various drugs were:

□ Cannabis: 53,145kg of cannabis seized at import, 19 per cent up, and 5,600kg seized at distribution. Pakistan was the main source.

Twenty farms were found producing skunkweed, mainly in rural areas, particularly Wales. 'Skunk', named after its strong aroma, is likely to become more prevalent.

□ Amphetamines: Nearly 550kg of amphetamines confiscated at import, 342 per cent up. About 90 per cent came from EC countries, half arriving from Holland. Eighteen drug factories were discovered in the UK, one capable of producing tens of millions of pounds worth of the drug.

□ Cocaine: seizures fell by 70 per cent but this was because statistics had been distorted by two large seizures in 1992: 750 kilos seized by Customs. Police seized about 20 kilos, a rise of 28 per cent.

□ Crack cocaine: seizures are

becoming more common outside London, accounting for 50 per cent of the seizures at street level. A record 2.8kg was 90 per cent up. There had been 10 crack-related murders in London and 21 attempted murders.

□ Heroin: import seizures up 25 per cent to 560 kilos; another 120 kilos seized at distribution, an 88 per cent rise. The purity level has fallen dramatically and paracetamol and caffeine were the main cutting agents.

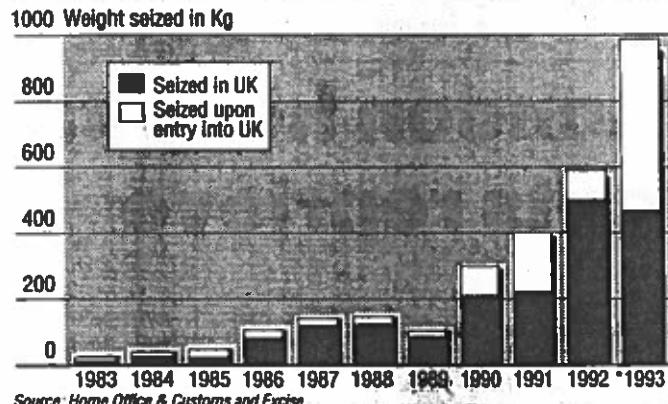
□ LSD: 11 per cent drop in seizures compared with 275,000 tabs confiscated in 1992.

□ Ecstasy: about 90 per cent of imports came from Holland. Marked decline in street-level seizures in late 1993.

The report also looked at trends in the misuse of over-the-counter medicines, tranquillisers and steroids. It found that in some needle exchanges, steroid users now accounted for a quarter of the client group.

The Financial Unit of NCIS recorded 12,750 disclosures of suspicious transactions in 1993. Under the Drugs Trafficking Offences Act, a total of £10,258,839 was restrained.

## Amphetamine seizures



# Police drop guards-style drill

Alan Travis on how knee-jerk reaction helps riot control

THE police are to stop teaching recruits high-stepping guards-style drill because in modern public-order situations they keep "kneeling their knees on the bottoms of their riot shields".

The decision is part of a national "overhaul" of police training which has also seen the end of passing out parades by recruits in many forces. Saluting may also disappear on the grounds it no longer has a place in the service.

According to Superintendent Peter Stanner, of the Directorate of National Training, the objection to the traditional guards-style drill was its "knees up" position, which stamps feet and arms somewhere around the ears". What was needed was "marine-style" drill which avoided this.

He said it was decided that new police probationary courses should include basic drill in line with public order training.

The six district police training centres outside London have switched to marine-style drill and have halted their ceremonial drill parades at the end of each course.

The move is part of an overhaul by the National Director of



In step with the times... Cadets at Hendon police college switch to marine-style drill  
PHOTOGRAPH: E HAMILTON WEST

Police Training. Peter Ryan, who believes that police drill has achieved a status within training courses out of all proportion to the needs.

In his paper on The Future of Police Training he says that a disproportionate amount of time and effort is spent on drill. "At a time when the foundation course is being criticised for failing to include sufficient training in law and procedures

it is difficult to justify the amount of valuable curriculum time spent on drill."

However, the most famous police parade ground in Britain at Hendon Police College will continue to reverberate to the crunch of 100 boots hitting the ground as one, though in marine-style drill. The Metropolitan Police has decided to retain its ceremonial passing out parades.

## Insurers spurn inner cities

Duncan Campbell on house cover out of reach for poor

RESIDENTS of whole streets and estates in high-crime areas are being refused cover by some insurance companies, according to research released today.

The report, published by the Association of London Authorities, says that inner-city districts in London and elsewhere are fast becoming "no go areas" for insurance companies. It also costs more to insure homes in the poorer areas, where householders can least afford it.

The leader of the association,

Toby Harris, said: "High insurance premiums are really the hidden cost of the Government's failure to tackle the root causes of crime. Many least well-off families are the most vulnerable as they can no longer afford to insure their most valued possessions."

According to the report, At A Premium, one large insurance company allocates certain postcode areas to "category R", meaning all requests for insurance there must be referred to head office. The head office has lists of whole streets or estates where insurance is not granted.

One insurance company employee said: "There are certain postcode areas in which we consider it undesirable to do business."

London has the most R-rated areas, followed by Manchester (10), Liverpool (nine), Bradford (eight), Birmingham five, Bristol (three) and Cardiff (two). The Cotswolds has the most areas in the lowest-rated insurance bands.

People in the highest-rated areas pay £500 a year for £30,000 insurance on a three-bedroom house, the report says.

The report suggests that, with the addition of 2.5 per cent VAT this year, home insurance is now beyond the reach of many people.

Malcolm Tarling, press officer for the Association of British Insurers, said that there were no uninsurable areas and the survey appeared to refer mainly to one company.

# Detection skills key in training switch

Duncan Campbell  
Crime Correspondent

A NEW style of detective training is to be introduced by the police service next week as a response to a fall in public confidence because of recent miscarriages of justice. The new course puts greater emphasis on analytical skills and less dependence on confessional evidence.

Officers involved in the new course believe that greater concentration on the techniques could lead not only to an eventual higher conviction rate but could also repair a damaged reputation.

The new National Foundation Course in Criminal Investigation is aimed at officers embarking on a career in detective work and is being seen as change of direction for detection in this country. Part of the course is based on work by Dr Barry McCork, an occupational psychologist who has researched the day-to-day tasks of detectives.

"What we want to do is get away from reliance on confessional evidence," says Detective Chief Superintendent Brendan Gibb-Gray, director of detective training at Bramshill police staff college in Hampshire. "There has been a tendency in the past to feel that, if someone had confessed, then that was the end of the investigation. We want to make sure that every avenue is explored and a complete case could be presented without necessarily relying on the suspect to say anything."

Detective Superintendent John Ridout, who has been seconded from the Metropol-

itan Police to a special training unit in Harrogate, says that the course deals with everyday detective cases as well as murder and armed robbery inquiries. Around 150 officers will be undergoing the first courses at six detective training schools throughout the country.

"The criminal law is to be studied in a totally different and more realistic way," said Mr Ridout. "Officers used to learn by heart parts of the law — like bigamy — that were of hardly any relevance in their day-to-day work. The objective now is to see the interview as

"We want to make sure a case could be presented without necessarily relying on the suspect to say anything"

just one part of the investigation and to develop a whole range of skills, like the taking of statements, the use of informants and so on."

Training officers have been shadowing detectives on live investigations, collecting information from everyone involved, including suspects, so that the inquiry could then be played out with the trainees interviewing victims and suspects in a re-enactment of an attack or a burglary. Mr Gibb-Gray said that in the past, some officers had felt they had to give the court what it wanted to hear. This meant that if there had

been some minor, understandable breach of the regulations, officers felt obliged to gloss over it. If the breach then became known, it cast doubt on the rest of the genuine evidence.

"There would now be a greater stress on realism," says Mr. Ridout. "Officers says he was deprived of a meal at the time he should have been fed. There may be a good reason for it. In the past, because officers felt that admitting it might affect the case, they sometimes denied it because they knew it was a technical breach of a regulation. Now we would say that they should give the reason and let the court judge whether it is the right approach in the circumstances."

The detectives are also being given extra instruction on dealing with informants. Both Mr Gibb-Gray and Mr Ridout recognise that the use of informants is now a sensitive issue. Many officers believe that the new disclosure rules on informants are likely to have the effect of scaring off potential informants. Many cases are being lost, they say, when police refuse to identify their informants and have to abandon the case.

Mr Gibb-Gray points out that officers often have to undergo great provocation from suspects and they will be trained to take abuse without reacting.

While police chiefs say the new style of training is welcomed by young detectives, they accept that the effects of the changes will be judged by juries in years to come.

• Forty-five North Yorkshire police cars have been put in storage because of a limited 90,000-mile penalty clause in the leasing agreement making them too expensive to operate.

## Peers defeat Government over abolition of top police jobs

Alan Travis  
Home Affairs Editor

THE jobs of up to 2,200 senior police officers could be spared after the Government last night suffered its second defeat in the Lords over its proposed police reforms.

Labour peers claimed the legislation was the most mauled bill in recent memory, and the defeat proved the Government no longer commanded a natural majority in the Lords.

Peers had voted by 133 to 107 to save one of two senior ranks — chief inspector and chief superintendent — facing abolition as a result of the Sheehy inquiry. They backed a success-

ful amendment proposed by Baroness Hilton, a former Metropolitan Police commander, to the Police and Magistrates Courts Bill allowing only one of the two ranks to be abolished. There are currently 2,200 chief inspectors and 530 chief superintendents.

Last night's vote was only the second actual defeat on the bill for the Government in the Lords — the first concerned proposals to reform police disciplinary procedures.

However, the Home Secretary, Michael Howard, has also announced wholesale climb-downs over his plans to reform elected police authorities to avoid further defeats in the Upper House.

GUARDIAN

25-3-94

# HACKNEY Gazette

30p

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# TREVOR MONERVILLE MURDERED

### CLOCKS FORWARD

British Summer Time starts this weekend, so remember to put your clocks and watches FORWARD one hour when you go to bed on Saturday.

NEXT WEEK'S GAZETTE WILL BE ON SALE ON THURSDAY

TREVOR Monerville, the man who achieved notoriety as the victim of alleged police brutality and sparked a huge campaign backed by MPs and the council, has been murdered.

The 26-year-old, who suffered brain damage as a teenager after being held by police six years ago, was found stabbed to death in Trumans Road, Stoke Newington, in the early hours of last Friday.

By RUSS LAWRENCE

Detectives believe the killing could be drug related.

As a 19-year-old, Mr Monerville was left temporarily paralysed on a life-support machine after he was arrested by Stoke Newington police who found him asleep in a car which had been broken into.

His case led to demands for a judicial inquiry from Hackney MPs Brian Sedgecombe and Diane Abbott and a legal battle between the Monerville family and the Police Complaints Authority about the handing over

of hospital records. How Mr Monerville came to receive his injuries still remains a mystery.

Two years ago, his grandparents were awarded £50,000 in damages after police raided their home in

Richmond Road, Dalston, which Trevor shared with them.

After he recovered from his injuries, the family claimed police harassed and hounded him and he was acquitted three times



• Trevor Monerville, on charges of violence. But last March, he was given two years' probation for assaulting a 61-year-old woman. The judge at Middlesex Crown Court spared him a jail sentence

• Continued on page 3

## Alleged police brutality victim stabbed to death

• Continued from front page

provided he continued psychiatric treatment at Hackney Hospital.

His grandmother, Muriel Burke, said this week: "He was very loving and a nice boy."

"We want the police to channel their energies into catching his killer."

The man in charge of the murder inquiry, Det Sgt Keith Fletcher, said he had no idea who Mr Monerville was until officers had told him.

It wouldn't have any bearing on how he carried out his investigation.

"We know Mr Monerville had been visiting a friend in Mildmay Grove and left there about 2am," added Det Sgt Fletcher.

"He got a minicab to his Richmond Road home, but re-directed it to Stoke Newington Road and got out there."

"Where he went between then and the time he was found dead at 3.20am is unknown."

"We want witnesses or anyone who may have information to contact us on 071-488 6688."

## Man gunned down in Turkish cafe murder

A MASKED gunman blasted a 33-year-old man to death as he sat in a Turkish cafe.

Horrified customers dived for cover as a man walked into the cafe, in Mildmay Park, Newington Green, just before 6.30pm last Thursday, drew a handgun and began firing.

Mehmet Kaygiz, from Wood Green, was the only person hit. He died from a single bullet wound to the chest.

The gunman, described as white, slim and over 6ft tall, was wearing a dark jacket and black jeans, a grey baseball cap, with a light-coloured scarf wrapped around the

lower half of his face. He raced off in a car parked outside.

Baffled police, still searching for a motive, say they do not know if he acted alone, or had a driver.

A murder incident room has been set up at Edmonton police station. A police spokeswoman said they are "not ruling out" any possible terrorist motive.

Anyone with any information is asked to contact Det Sgt Roland Harris on 081-807 9332.

# Injustice reviews to be speeded

Duncan Campbell  
Crime Correspondent

**A** NEW authority to investigate possible miscarriages of justice will be able to refer cases back to the Court of Appeal more speedily, Michael Howard, the Home Secretary, said yesterday.

Unveiling plans for the new Criminal Cases Review Authority, Mr Howard said constitutional changes would be needed to give it powers previously held by the Home Secretary.

Civil liberties groups expressed reservations about some of the proposals, saying there was a possibility that too much power for re-examining alleged miscarriages of justice would remain with the police.

Publishing a discussion document on the proposed authority, which was recommended by the Royal Commission on Criminal Justice, Mr Howard called for responses from all interested parties. The intention is to restore public confidence in the appeal system.

It is proposed the authority would take over the examination of alleged miscarriages and referring cases to the appeal court for review.

Currently, the Home Office's C3 department, which has a budget of around £750,000, considers about 700 cases a year of which around 10 are referred back to the appeal court.

Between October 1988 and March 1993, £3,428,000 compensation was paid to people whose convictions were quashed.

Mr Howard said that he was open to argument about the composition of the authority.

The body would have power to reinvestigate cases in a non-adversarial fashion. It would not conduct hearings and would not make recommendations to the appeal court.

The discussion paper, which

asks for responses by May 31, says the Government believes it is essential for the authority to be able to use the skills of police in criminal investigations.

A possible model is the Police Complaints Authority, which oversees investigations and can appoint an outside force to carry out inquiries. Another possibility would be to have a core of experienced police officers seconded to the authority.

Legislation to create the new authority would be introduced as soon as possible, Mr Howard said. It was not possible to include it in the current Criminal Justice Bill now before Parliament because it involved major constitutional changes.

The paper proposes that the Court of Appeal should apply a new test of whether fresh evidence is "capable of belief" rather than the current test of whether it is "likely to be credible." It also proposes that the authority could also refer sentences if they were thought to be too high.

A new system for appeals against decisions in magistrates courts is also proposed. It would include a fast-track method for disposing of cases where the grounds of an erroneous conviction could be simply verified. About 100 representations in connection with such convictions are received each year.

But the paper stressed the authority should not become an automatic port of call following an unsuccessful appeal.

Andrew Puddephatt, the general secretary of Liberty, said: "The continuing problems of the current Police Complaints Authority suggests that only a wholly independent body will command respect."

Anne Owers, director of Justice, also welcomed the paper but expressed concern that the Police Complaints Authority should be regarded as a proper model for such a body.

# Five-year record of rough justice

**T**HREE have been a series of devastating miscarriages of justice exposed over the last five years.

■ December 1992 — Court of Appeal quashed life sentences on the Cardiff Three for the 1988 murder of prostitute Lynette White. Police were criticised by appeal judges for bullying Stephen Miller in a "travesty" of an interview.

■ July 1992 — Brothers Paul and Wayne Darvell freed six years after being convicted at Swansea crown court for the 1985 murder of sex shop manager Sandra Phillips. The Lord Chief Justice said evidence of police malpractice was "thoroughly disquieting".

■ May, 1992 — Judy Ward freed after serving 18 years for the 1974 M62 army coach bombing. Appeal centred on unreliable confessions, forensic evidence and non-disclosure of material by prosecution.

■ February, 1992 — Stefan Kiszko freed after 16 years in prison for the murder of schoolgirl Lesley Molseed. Forensic tests done at the time proved he

could not have been the killer but police say they did not know of the evidence, which was not given during the trial.

■ November, 1991 — Tottenham Three cleared of murder of PC Blakelock in 1985 Broadwater Farm riots after questions raised over police interviews. Appeal judges said: "We wish to express our profound regret that they have suffered as a result of the shortcomings of the criminal process."

■ June, 1991 — Maguire Seven, who served between four and 14 years on IRA bomb making charges, cleared after forensic evidence discredited.

■ March 1991 — Birmingham Six freed after 17 years in jail for 1974 pub bombings. Forensic evidence discredited, while DPP conceded he could not call single police officer to give evidence. Royal Commission set up to consider reform of the criminal justice system.

■ October, 1989 — Guildford Four cleared at Old Bailey when Crown conceded it could no longer argue convictions were safe.

# Howard plans life in jail for police killers

## Prisoners' home leave 'must stay'

Governors' plea to Howard as ministers ponder clampdown

Alan Travis  
Home Affairs Editor

PRISON governors and chief probation officers have backed home leave for prisoners amid fears that Michael Howard, the Home Secretary, is to announce its abolition in all but the most exceptional circumstances.

Penal reformers regard the doubling of home leave for inmates of open prisons by the former home secretary, Kenneth Baker, three years ago as one of the benchmark reforms introduced after Lord Woolf's critical report on the prison system following the Strangeways riots. Mr Baker also committed the Government to a further extension of the scheme.

But highly publicised cases over the past year in which prisoners have absconded and committed further offences, including three murders, have led to the first full-scale Home Office review of home leave for 30 years, amid demands that the public be given greater protection.

The Home Office working party is believed to recommend that the present system, which allows inmates out for two to five days plus travelling time, be simplified and tightened, with thorough risk assessment. However, ministers are expected to ignore the year-long inquiry and announce within

weeks a wholesale clampdown. The Prison Service says 94 per cent of home leaves are without incident, and most of the remaining 6 per cent are late returns.

Derek Lewis, the service's director-general, said home leave played an important part in the eventual return of prisoners to a law-abiding life. "However, the Prison Service is very sensitive to concern over prisoners reoffending while on home leave, being sent on leave too soon after being sentenced, and confronting victims while on leave. These and other issues are being actively considered."

The review is also expected to recommend that a decision to allow home leave be based more on a prisoner's success in tackling criminal behaviour and less on behaviour in prison. The Penal Affairs Consortium, which includes prison governors, chief probation officers, penal reformers, prison officers, prison boards of visitors and 18 other prison organisations, today endorse this approach and appeal to ministers not to go for wholesale restriction of home leave.

David Roddan, of the Prison Governors Association, said home leave placed a responsibility on the offender to behave well.

"To remove the facility of home leave, or severely restrict it, would be to remove any incentive and would make a nonsense of the Prison Service's aim of reducing an individual's dangerousness," he said.

Stephen Shaw, of the Prison Reform Trust, said home leave played an important part in helping prisoners retain links with their families and the community, and thus lead crime-free lives on release.

## Police killers who would still be in jail under Howard's plan

Alan Travis and Martin Linton

ONLY two murderers of policemen have been released from prison since the death penalty was abolished in 1965. They would still be in prison had a life sentence meant life for the killers of police and prison officers, as the Home Secretary, Michael Howard, has proposed.

Anthony Jeffs, who received two life sentences for shooting a Coventry policeman and wounding another, was released last year after serving 21 years. He loathed police officers and had ACAB — All Coppers Are Bastards — tattooed on his knuckles.

The other, John Witney, was sentenced to 30 years for his part in the murder of three London policemen in Shepherds Bush, west London, in 1986. He did not fire any of the fatal shots and left jail in 1992.

Twenty-eight men convicted of murdering police officers in the last 30 years are still in prison. During that time, 54 police officers have been murdered, with two in the last five months.

Police murderers are already treated differently from other categories of murderers sentenced to life imprisonment. All murderers are given the mandatory life

sentence, and the trial judge makes a recommendation in secret on the length of time the murderer should serve.

The Home Secretary has the power, after taking advice from the Lord Chief Justice and the Parole Board, to vary that sentence according to the needs of "punishment and retribution".

However, for the past 10 years Home Office policy has followed that set by Sir Leon Brittan when he was home secretary that police murderers serve a minimum of 20 years. The Police Federation long believed that they had been assured by successive Home Secretaries that "life would mean life" in these cases.

Since a statement last July, Mr Howard has added a third stage to the sentence process for lifers which he could use in the case of police killers to ensure they are never released. He can now turn down a parole board recommendation for release on the grounds that it is not "acceptable to the public".

Lord Lane, the former Lord Chief Justice, and other senior judges criticised this power as "constitutionally flawed," arguing that the decision should be made by judges in open court.

There is strong judicial pressure to abolish the mandatory life sentence on the grounds that it treats the medical mercy killer and battered wife who kills in the same way as the professional hit-man or terrorist.

Special legislation for police killers would lead to political pressure to extend the new life sentence to others such as terrorists.

**PC stabbed five times**  
A 62-year-old man was being questioned last night after a Liverpool policeman was stabbed five times in the arm. Police said a man stopped for alleged drink-driving ran to a house, produced a kitchen knife and attacked PC Kevin Coakley, aged 31.

role board recommendation for release on the grounds that it is "not acceptable to the public".

But it is believed that Mr Howard has told the Prime Minister that he has legal advice arguing that if he uses this power to impose a blanket "life means life" sentence on an entire class of murderers he will be open to challenge in the courts, which would rule that each case must be decided separately.

The Home Secretary has asked John Major for rapid cabinet support for legislation to be put before the Commons by the time Chief Constables meet next month to discuss extending the number of officers who routinely carry guns.

A recent succession of fatal and near-fatal shootings of beat constables and other officers has prompted the decision by the Association of Chief Police Officers to put the question of generally arming the police on the agenda for the first time in decades. The Chief Constables will also look at other police protection measures including the introduction of pepper gas sprays and body armour.

In a leaked confidential letter, Mr Howard has told Mr Major he is sure that pressure to arm every police officer should be resisted but adds: "We need a stronger deterrent than the law presently provides. I have reached the conclusion that in the case of murderers of police or prison officers a mandatory sentence of imprisonment literally for life is just such a deterrent and ... should therefore be introduced for the protection of those categories of public servant."

Although the average time served by a "mandatory lifer" after remission and parole is just over 12 years, only two murderers of police officers have been released since the death penalty was abolished in 1965, both after serving more than 20 years.

The Home Secretary already has the discretion to order that a particular life sentence prisoner is never released under a power introduced last summer. This allows him to deny a pa-

Police killers who would still be in jail, page 2

CUPIDON

28.7.94

# PCA denies 'whitewash'

## Racism complaints soar

**ALLEGATIONS** of police racism and serious assault shot up last year, the Police Complaints Authority revealed yesterday.

Racial discrimination complaints climbed from 67 in 1992 to 291 last year.

But of those, just 4 per cent ended in disciplinary action, a substantial swerve away from the overall level of disciplinary action in complaints investigated of 10 per cent.

The authority investigated 10,916 complaints in 1993, down 18 per cent on 1992.

Only 27 cases resulted in officers being charged with criminal offences, while 1,092 cases led to disciplinary action.

Graham Smith, of Hackney Community Defence Association — set up in the wake of accusations of police victimisation of black people and deliberate mis-handling of their complaints — branded the report's figures "absurd."

He said: "Police crime is treated in this report as if it's really not serious.

"The PCA has sole responsibility for investigating police and in

by STEPHEN OVERELL

an annual report that investigated 10,916 cases, to find just 27 could be charged must mean there is something wrong with the system."

Anti-Racist Alliance national secretary Marc Wadsworth said that the figures "are extremely damning."

"The PCA is now thoroughly discredited. We are deeply concerned at their continuing delay in the publication of the report into the death of Joy Gardner and the complaints against Stoke Newington police."

The authority agreed to supervise 951 cases, up a quarter on

1992 and the highest ever recorded. This was largely due to the number of allegations involving serious injury and death, which must be supervised.

Overall, forces referred 4,139 cases for possible supervision, 7 per cent down on 1992.

PCA chairman, Sir Leonard Peach said: "This substantial rise is due in part to more accurate recording and a greater awareness of the complaints system, but there may be a greater unwillingness to accept racially offensive behaviour."

He rejected accusations of "whitewashing," saying that it was difficult to give the required level of proof to make the complaints beyond reasonable doubt.

The PCA allowed the police to drop 17 per cent more complaints than in 1992 — 7,075 compared with 6,035.

## PC freed on appeal

A POLICEMAN jailed for causing the deaths of two joyriders on a stolen police motorcycle was cleared and freed by the Court of Appeal yesterday.

Det Con Robert Wallington slumped forward as three appeal judges ruled that he did not get a fair trial because the jury was not warned to ignore a mass of irrelevant and prejudicial material.

The Bristol detective was sentenced to nine months in December for causing the deaths of Shaun Starr and Keith Buck by dangerous driving on the Hartcliffe estate, Bristol, on July 16, 1992.

The incident sparked off three nights of rioting on the Hartcliffe Estate, where residents accused the police of gross over-reaction.

A Police Federation spokesman said that disciplinary proceedings against the officer would probably no longer be necessary.

MORNING STAR

29-3-94

# Sharp rise in claims of race bias by police

Duncan Campbell  
Crime Correspondent

**C**Omplaints of serious assaults and racial discrimination by police officers rose steeply last year, according to the Police Complaints Authority's annual report published yesterday.

But the number of complaints referred to the authority overall fell by 7 per cent.

The increase in claims of assault and racial bias could be a result of a more violent society and a greater unwillingness to tolerate racially offensive behaviour, Sir Leonard Peach, the authority chairman, said.

The authority dealt with 17,991 complaints of which 10 per cent were upheld, against 3.8 per cent in 1992. Police forces referred 4,189 cases to be supervised by the authority, which oversaw 951, up a quarter on 1992 and the highest ever recorded. This was largely due to the number of allegations involving serious injury, or death, which must be supervised. There were 609 cases alleging serious injury or death, an increase of more than 52 per cent on 1992. The authority investigated 27 deaths in police custody. The number of complaints of racial discrimination rose from 49 in 1991 and 73 in 1992 to 291 last year. Disciplinary action was taken in 4 per cent of cases.

Sir Leonard said: "This substantial rise is due in part to more accurate recording and a greater awareness of the complaints system but there may be a greater unwillingness to accept racially offensive behaviour."

He said that, in the absence of witnesses, such allegations were difficult to prove and it was also difficult to substantiate whether a stop and search had definitely been racially motivated.

From the beginning of this year, the ethnic origin of all complainants is being recorded.

Complaints alleging corruption rose from 12 in 1992 to 17 in 1993. John Cartwright, the deputy chairman, said there was no apparent reason for the increase but a number related to the South East Regional Crime Squad.

The authority is also seeking powers to deal with special constables in the same way as regular officers. This follows government plans to increase the number of special constables to 30,000 or almost 20 per cent of police strength.

Sir Leonard said: "Specials have the same arrest powers as regular officers and the public do not distinguish between the two when making complaints."

He also drew attention to officers avoiding disciplinary charges by taking early retirement on health grounds. Only

	Complaints by region	
	Total 1993	Total 1992
Avon & Somerset	468	406
Bedfordshire	91	124
Cambs	193	311
Cheshire	112	117
Cleveland	323	317
Cumbria	148	68
Derbyshire	171	162
Devon and Cornwall	342	334
Dorset	155	182
Durham	130	72
Gwynedd-Powys	23	32
Essex	181	197
Gloucestershire	223	248
Greater Manchester	1313	1136
Gwent	108	126
Hampshire	424	301
Herefordshire	219	122
Humbershire	340	409
Kent	448	445
Lancashire	541	309
Leicestershire	219	251
Lincolnshire	64	68
Merseyside	957	918
Norfolk	221	276
Northants	158	161
Northumbria	343	414
North Wales	197	251
North Yorkshire	47	119
Notts	365	255
South Wales	152	128
South Yorkshire	304	277
Staffordshire	369	146
Suffolk	251	219
Surrey	275	216
Sussex	336	348
Thames Valley	503	616
Warwickshire	63	52
West Mercia	247	185
West Midlands	761	1944
West Yorkshire	1022	1318
Wiltshire	148	122
City of London	25	25
Met Total	4720	5210

nine officers had done so in 1993 but it damaged the reputation of the police, he said.

The report showed officers were disciplined over 1,082 complaints, with 27 cases leading to one or more officers facing criminal charges. Between 30 per cent and 40 per cent of all recorded complaints are resolved informally by police.

There were eight high speed pursuit cases investigated, involving seven deaths. Not all such cases had been referred to the authority, which was regretted.

Among other issues examined had been the increased, almost automatic, use of handcuffs after an arrest and allegations that officers had "tweaked" the new Quik Kuffs, causing pain to the wrist. This was regarded as unreasonable force, the report said.

Awareness of the authority had improved, with 65 per cent having heard of it and 48 per cent believing it to be independent of the police.

*Annual report of the Police Complaints Authority 1993; HMSO; £10.15. A summary is available from the PCA, 10 Great George Street, London SW1P 8AE in English, Welsh, Bengali, Gujarati, Punjabi and Urdu.*

Police given 'licence to kill' says dead man's mother

# Officer jailed after death crash freed

Louise Jury

**A** POLICEMAN jailed for causing the deaths of two joyriders in a crash which sparked three days of rioting in Bristol had his conviction quashed by the Court of Appeal yesterday.

Detective Constable Robert Wallington slumped forward in the dock as three appeal judges ruled that arguments at Winchester crown court last December about force regulations on police chases were prejudicial to his case and that the judge had misdirected the jury.

DC Wallington, aged 38, of Bristol, was jailed for nine months for causing the deaths of Shaun Starr, aged 32, and Keith Buck, aged 18, by dangerous driving on the Hartcliffe estate, Bristol, in July 1992, during a police operation to recover a stolen Regional Crime Squad (RCS) motorcycle being driven by Mr Starr. He will now return to work with the squad.

Mr Starr's mother, Margaret, and his girlfriend, Sadie Davidson, were among those in court. Margaret Starr said after the decision: "I think the police have been given a licence to kill. It's a whitewash."

Ms Davidson, aged 21, mother of two of Mr Starr's children, predicted the ruling would prompt more trouble on the Hartcliffe estate. Hundreds of people took part in the rioting which followed the crash. A community centre and at least 10 cars were burnt out.

But Chief Supt David Hill, who heads the Bristol-based Number 7 RCS, expressed delight that DC Wallington had



DC Wallington . . . moved car into path of motorcycle

been exonerated of blame. He added: "Sadly, nothing can change the tragic consequences of the collision."

The court heard how DC Wallington was part of an operation mounted to find the motorcycle after it was stolen. He was in an unmarked police car when he saw it being driven towards him.

Martin Meeke, counsel for the policeman, said the detective flashed his lights and manoeuvred into the middle of the road, expecting the motorcyclist to stop. But the joyrider accelerated instead, and reached a speed estimated by some witnesses at 100 mph before colliding with the car. DC Wallington conceded he may have misjudged the speed but was not guilty of deliberate dangerous driving.

At the Winchester hearing, Mr Justice Ognall, had criticised the Regional Crime Squad for its behaviour in deploying eight cars and two motorcycles to retrieve the motorcycle.

The judge expressed disbelief at some of the police evidence and argued that police standing orders were breached when the RCS failed to summon the assistance of marked traffic cars.

Mr Meeke said the cumulative effect of Mr Justice Ognall's allegations of "misplaced regimental loyalty" among the RCS officers had prejudiced DC Wallington's case in addition to causing "considerable disquiet" among the squad.

Michael Kalisher QC, for the Crown, said too much emphasis may have been placed on standing orders, but they were relevant because of defence claims that DC Wallington was only doing his duty.

"This is somebody driving not out of the path of the vehicle but deliberately into it and stopping there," he said. It was "manifestly" a dangerous manoeuvre because DC Wallington had been determined to stop the stolen motorcycle "at all costs".

Mr Justice Stuart Smith, sitting with Mr Justice Holland and Mr Justice Gage, said "the way in which the judge invited the jury to be plainly critical of the police on this occasion must have had some adverse effect on the way in which the jury reviewed the conduct of the appellant."

DC Anthony Knight, aged 31, stood trial alongside DC Wallington at Winchester but was cleared of driving his unmarked car into the motorcycle's path just before the fatal crash. He was among police officers in court yesterday.

## Man accused of stabbing PC 'was victim of new baton'

**A** MAN charged with the attempted murder of a policeman was instead the victim of a police beating with the new American-style baton, Liverpool magistrates heard yesterday.

Julian Linskell, solicitor defending George Herbert, aged 61, claimed that Mr Herbert was beaten several times and suggesting "perhaps the officers saw the incident as an opportunity to try out the new baton for the exact purpose it has been issued for."

Mr Herbert was charged after PC Kevin Coakley was alleged to have been stabbed in his arm, needing 15 stitches. Mr Herbert appeared in the dock with an arm in a sling, stitches

in his head and a black eye.

Claire Dwyer, prosecuting, said two officers had followed Mr Herbert, an unemployed pastry chef, to the house of his sister-in-law, Angela Royal, in Knotty Ash, when they saw him driving erratically. PC Jason Whitelaw had struck Mr Herbert with the baton but it was "ineffective" in stopping him from attacking the officers with a kitchen knife he produced from the house.

Mr Linskell said the officers had no reason to arrest his client and repeatedly hit him with the baton without provocation.

Mr Herbert, a Barbadian, was released on conditional bail. Reporting restrictions were lifted.

# Who murdered Trevor Monerville?

Caribbean Times incorporating African Times 29 March 1994

**Who murdered Trevor...  
from the front page**  
theft or any other offence relating  
to his arrest.

A half-hearted investigation by the Police Complaints Authority faltered after they claimed their attempts to ascertain whether Mr Monerville was assaulted by Stoke Newington police officers was hampered by the Monerville family's 'failure' to co-operate with their efforts to find Mr Monerville's assailants.

Nevertheless, the campaign which began as a single issue around the Monerville case grew to incorporate the misgivings of the north-east London local community over their local constabulary.

The Hackney Community Defence Association now handles dozens of complaints against the local police every year. The association's crusade to highlight corruption and ineptitude in the ranks of the Stoke Newington constabulary forced the Police Complaints Authority to launch an investigation, Operation Jackpot, which has led to 46 officers facing 64 separate allegations of drug-planting.

Following his recovery from his injuries Mr Monerville was subjected to countless stops and searches by local police officers and was acquitted on three separate occasions of alleged public order offences involving violence.

His grandparents were awarded £50,000 in damages after they were brutalised in their home by Hackney police officers.

However, Mr Monerville was serving a two year probation after being found guilty at Middlesex Crown Court last January of an alleged attack on a 61-year-old woman. The judge spared him a custodial sentence on condition he continued psychiatric treatment at Hackney Hospital.

Police investigating his death have established that Mr Monerville spent time with a friend until 2.00am Friday, March 18. He called a cab to take him to the home he shared with his grandparents in Stoke Newington but re-directed it to Stoke Newington Road and alighted there.

Police hope witnesses may be able to help them piece together his movements from the time he left the cab to when he was found dead from stab wounds at 3.20am.

Although Stoke Newington police have claimed that Operation Tean, an initiative to eradicate drug dealing in the Stoke Newington Road and Shacklewell Lane area, has been successful they now claim that they believe his death was drug-related.

● Any information on Mr Monerville's movements between 2.00am and 3.20am on Friday, March 18, should be relayed to 071-488 6688



TREVOR MONERVILLE - police never proved they did not assault him

TREVOR MONERVILLE, the man who suffered temporary brain damage after being arrested by Stoke Newington police officers in 1987, has been murdered.

Mr Monerville was 19 when Stoke Newington officers alleged he was found in a car they originally claimed was broken into.

Mr Monerville suffered terrible injuries which led to him undergoing an operation to remove a blood clot from his brain. He was never formally charged with car

*Continued on page two*

## PC gets cash with the usual denial from the Met

A POLICE officer who suffered a two year "catalogue of racism" from his colleagues during training was awarded £8,000 compensation last week.

An industrial tribunal heard that PC Woodrow Bryan was reprimanded for mistakes which were excused when committed by white officers during his training period at Hendon and during his probationary service at Fulham police.

Although Scotland Yard denied liability, senior officers agreed to a compensation package to establish a support network for officers suffering discrimination. The agreement requires the Metropolitan police force to overhaul its race relations policies and initiate equal opportunities training for all

officers and civilian workers.

PC Bryan, who is presently based at Belgravia in central London, has ten years experience in the Jamaican police force, where he rose to the rank of sergeant.

PC Bryan was represented by Makbool Javid, and he was financially supported by the Commission for Racial Equality. Bryan accused Paul Condon, of bending the rules on police immunity to frustrate public scrutiny.

"The police refused to release the investigation report so we remain in the dark as to whether the police themselves found there was any discrimination," his advocate said.

The Met refused to take any disciplinary action against the involved officers.



# Deficit forces 250 police job losses

Alex Travis  
Home Affairs Editor

**U**P TO 250 jobs are to go and 21 police stations have been earmarked for closure as a result of a cash crisis facing South Wales police.

The South Wales police authority yesterday agreed to the job cuts, including 150 uniformed posts, to save £10 million in its annual budget.

Other measures to be introduced over the next 12 months include cuts in police car mileage, restrictions in overtime and 50 traffic officers being returned to the beat. Savings are also to be found in training and forensic services.

Robert Lawrence, the Chief Constable of the 3,100-strong South Wales force, said yesterday that monthly budget meetings would be held to keep track of spending over the next 12 months. The Home Office has given the authority until April 1995 to turn the financial situation around. "As long as we have a fair wind, we will just be able to survive the year. But a few serious major incidents could throw us off course," Mr Lawrence said.

Two of the police stations to close are at Cefn-coed-y-cymmer, near Merthyr Tydfil, Mid Glamorgan, and Taff's Well near Cardiff. A third at Pontlot-

tyn, near Rhymney, is already closed and will not now reopen. The other 18 are offices where the public do not have access. Final decisions about their future are expected on April 21.

The cash crisis has been caused by severe restrictions on the spending of the three local authorities which provide funds for the South Wales police. Despite appeals by the area's MPs to Home Office ministers, the Government has not offered any respite.

Lord Ferrers, one of the ministers, said: "The police authority is responsible for setting the police budget. The responsibility for underfunding the police is also theirs.

"The South Wales police authority intends to give the force a 1.75 per cent increase in 1994/95 although government grant provision for Welsh forces will rise by over 5 per cent. This means that £5 million which could have been used for policing will not reach the chief constable — on top of a similar figure for this year."

He said the authority would have to reduce staff through natural wastage as officers cannot be made redundant.

The proposed cuts were greeted with dismay last night by John Prosser, the Police Federation secretary in South Wales. "Law and order is not a priority in South Wales," he said.

GUARDIAN

1-4-94

# **Ecstasy 'lost' at drugs trial**

**Duncan Campbell  
Crime Correspondent**

**A**N INVESTIGATION is under way into the disappearance of more than £150,000 worth of the drug Ecstasy and thousands of pounds in cash from the Old Bailey during a drugs trial.

Members of Scotland Yard's complaints investigation bureau have been interviewing police officers, court staff, lawyers and defendants.

It is understood the Ecstasy went missing during the trial of Thomas Slater and his son, Zachary Slater, who were jailed last May for their part in what was alleged to be a £7 million Ecstasy plot. Varying estimates put the value of the missing drug at between £150,000 and £355,000, and the missing cash at between £5,000 and £8,000.

"It seems that 'snide' (false) stuff was put in the bags and the real Ecstasy taken out," said one source.

A Scotland Yard spokesman confirmed that an inquiry was being carried out by the complaints investigation bureau. He stressed that the inquiry did not imply that police officers were under suspicion.

Exhibits are normally kept in a locked room adjoining the court. Lawyers in the case have been interviewed by police.

After a 20-week trial Mr Slater was jailed for 10 years and fined £600,000, Zachary for 8½ years and Gary Eales for six years for conspiracy to supply Ecstasy. Guilty pleas were entered after the original trial was aborted due to misleading scientific evidence.

The men were arrested after Peter Vukmirovic, an Oxford University-educated Dutch chemist, turned queen's evidence and assisted the police. For his co-operation, he was jailed for five years instead of the 20 he could have faced. He claimed to have met the Slatters at a west London golf range.

The haul of 27.7 kilos of Ecstasy valued at £7 million was then the largest ever found in Britain.

During the trial, plastic bags with the drugs inside were shown to the jury. Police had also confiscated two commercial pill-making machines and 1,600 pills ready for sale.

"Flying dove" brand marks had been made and amphetamine added to help sell the "pills". The chemical liquid used to make the drug was allegedly brought from the Netherlands by couriers and hidden in bottles of Kronenbourg beer.

*GUARDIAN*

*2-4-94*

# Local folk expose thuggery of Hackney cops – again

THE lawless behaviour of the Hackney police led to another spate of acquittals and further waste of public money last week.

A magistrate at Old Street Court dismissed all charges against those accused of public order offences after police officers presented testimony which contradicted one another.

The charges related to an incident last July after a 'routine' check on cars parked outside a nightclub on Cricketfield Road, Hackney, east London, escalated into a confrontation between police officers and local people.

Four people were arrested and charged with assaulting and/or abusing officers in the course of their duty.

Witnesses informed friends and family members and a delegation which went to Hackney police station was told by Detective Chief Superintendent Ber-

nard Taffs that no-one had been injured.

Three people who were dissatisfied with Det Supt Taffs' explanation returned after being ordered to leave by the duty sergeant and were arrested and charged with various civil disorder offences.

Three charges were dropped by the Crown Prosecutions Service for lack of evidence and the first hearing at Old Street Magistrates threw out allegations against two of the remaining four defendants.

At the latest hearing, PC Hackner admitted under cross examination by defence counsel Cal Peart that he "may have struck defendant Herbert Jones on the head" with his truncheon.

This statement contradicted the testimony of two other officers who claimed no member of the public had suffered assault or forceful arrest.

Despite yet another victory, the Hackney Community Defence Association, which supported the defendants, finds no cause for celebration.

"This is just another case of the Hackney police ignoring the complaints procedures they are required to follow by law," said Graham Smith, spokesperson for the HCDA. "Officers strike members of the public with impunity and senior officers lie to cover their tracks and the whole incident re-emphasises the need for an independent judicial inquiry."

CARIBBEAN TIMES

5-4-94

British blacks 'run greater risk of going to prison'

# Britain 'tops US' for car theft and burglary

Alan Travis  
Home Affairs Editor

**P**ERSONS are more likely to have their car stolen or their house burgled in Britain than in the United States, according to an international comparison of crime rates quoted by criminal justice experts yesterday.

One also concluded that Britain imprisons a far higher proportion of its black population than the US.

They cited the comparisons to warn Michael Howard, the Home Secretary, not to follow the American example of locking up more offenders in an attempt to cut the growing crime rate.

Since the Home Secretary made the idea that "prison works" a keystone of his law and order strategy to cut crime the prison population in Britain has risen by nearly 8,000 to the near-record level of 48,800.

Professor Norval Morris of Chicago University told the Prisons 2000 conference at Leicester university that the "pervasive myth in the US" that there is a direct link between crime control and imprisonment now appeared to be infecting Britain.

The American prison population has risen from 300,000 in 1990 to 1.4 million, but a steady decline in the crime rate in the early 1980s was followed by a sharp increase in the late 1980s. But Prof Morris said it was a myth that American crime rates were very much higher

than in the rest of the world. The US topped the world league in drug-related crime and murder, as the public widely believed. But the most recent international crime surveys showed the American crime rate in most other categories of crime was quite ordinary.

Assault rates were comparable to Britain and lower than in Australia and Canada, while people were 10 times more likely to have their car stolen in Britain than in the US.

Professor Morris told the conference, organised by the Leicester university's Centre for the Study of Public Order, that no serious scholar had been able to draw a relationship between changes in prison population and crime rate. "If increasing use of imprisonment reduced crime then the US should be the safest country in the world." He also argued that the penal system in England and Wales was more racially skewed against black people than the criminal justice system in the US.

Professor Morris said recent studies had shown that 34,000 of the 60,000 black males between the ages of 18 and 35 in Baltimore were involved at some stage of the criminal justice system on any one day. But although nearly half the 1.4 million inmates in American jails were black, the proportion of the black population behind bars was actually much greater in England and Wales even if the numbers involved were much smaller.

Blacks are six times more

likely to be in prison in the United States than whites, implying that its criminal justice policies are implemented with a racial bias.

But this rate is lower than in England and Wales, where the imprisonment rate of black people is 547 per 100,000 compared with 77 out of every 100,000 white people.

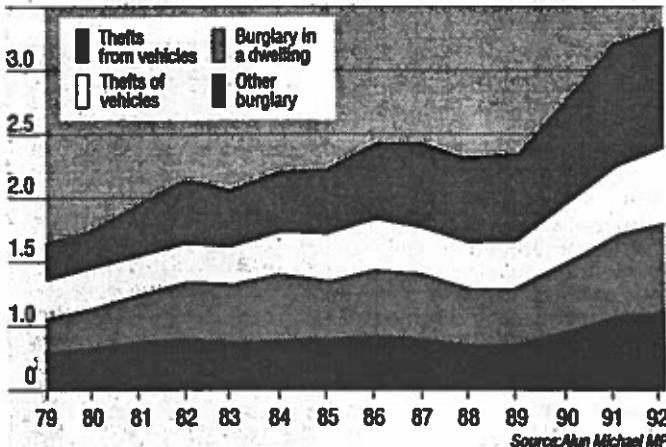
Professor Morris held out little hope that President Clinton's new "three strikes and you're out" policy of jailing violent offenders for life on their third offence would do much to cut rising concern over crime.

He said a similar policy had been implemented in Britain in a 1908 piece of legislation called the Act To Prevent Crime: "In 1948 I met 35 elderly gentlemen in a prison on the Isle of Wight who were quite competent at billiards and who had been the victims of this act."

He said President Clinton's "three strikes and you're out" policy, while succeeding in "marketing terms", would have as little impact as the 1908 British legislation and would probably do as much harm.

## Crime on the climb

Recorded car crime and burglaries in England and Wales. Millions.



Source: Alan Michael MP

# Howard pulls back on right to silence

Alan Travis  
Home Affairs Editor

**M**ICHAEL Howard, the Home Secretary, has been forced to further dilute his 27-point law and order crackdown in the face of strong opposition from senior judges, lawyers and civil rights campaigners.

He has dropped a proposal to oblige a trial judge to challenge a defendant's right to silence after criticism over how it would work.

The abolition of a defendant's historic right to silence is at the centre of the Government's law and order package.

Mr Howard's original proposal would have obliged a judge to "call upon" the defendant to give evidence if he had refused to offer an explanation of his role. It would also have allowed a judge or prosecution counsel to tell the jury that it should return a guilty verdict if a defendant refused to give evidence or to account for his conduct when arrested by the police.

But the Lord Chief Justice, Lord Taylor, said he and other senior judges had been "seriously troubled" by the proposal as it would introduce "an unnecessary piece of theatre" into the courtroom and lead the jury to think that the defendant had defied the judge in refusing to

give evidence. Other critics claimed it would force judges into a partisan role for the first time.

The Home Office confirmed yesterday that a new clause to the Criminal Justice and Public Order bill had been tabled for debate by MPs which no longer contained the requirement on a trial judge to "call upon" a defendant. But a spokesman said the judge would still have a role in ensuring that a defendant was aware of the risk that a guilty inference would be drawn by the jury if he did not give evidence or refused to answer police questions.

Mr Howard faces further pressure this week from Conservative MPs over the bill, which begins its two-day report stage in the Commons today. Sir Ivan Lawrence, the Tory chairman of the Commons home affairs committee, has tabled an amendment to restrict the abolition of the right to silence to those interviews which take place in the police station. He is likely to receive all-party support.

Mr Howard is also likely to be pressed to go further in his clampdown on racist attacks.

He announced on Friday that incitement to racial hatred and distributing racist material is to become an arrestable offence, but some Tories want him to go further and create a specific offence of racial violence.

GUARDIAN 12.4.94

# Police threaten action over 'Cop Killer' book

A CONTROVERSIAL new novel set in Hackney and chronicling the cold-blooded slaying of four cops has been branded a "sick incitement" to violence against the police.

by JULIE COULSON

Condemning the "glorification" of the murder of policemen in *Cop Killer*, the Metropolitan Police Federation is threatening to sue the

publishers over the book's portrayal of Stoke Newington detectives.

"This is a sick book which could be sowing the seeds of violence in someone's mind," Federation chair, Mike Bennett, told the *Gazette*. "I just hope it isn't prophetic."

The book's "hero" is black minicab dri-

ver Lloyd Baker, who embarks on an orgy of revenge killings after his mother is shot dead in her Stoke Newington home during a bungled police drugs raid.

Baker kills a motorcycle cop by knocking him off his bike, crushes a uniformed officer's skull by dropping a lump of concrete on his head, slits a plain-clothes

officer's throat and blasts a fourth policeman to death at point blank range with a Colt 45 – and gets away with it.

Detectives working out of the fictitious Stamford Hill police station are portrayed in the book as corrupt, trigger-happy, race-hate thugs.

"We have a very good set of lawyers who will be looking at this book very closely. We won't hesitate to start an action for defamation if we feel there are grounds," Mr Bennett warned.

Because of his fears about adverse publicity, *Cop Killer*'s 26-year-old unemployed author – who uses the pen name Donald Gorgon – has asked to remain anonymous.

## 'Work of fiction'

Challenging Gorgon to stop hiding and reveal his true identity, Mr Bennett said: "I don't believe in censorship, but I do think people producing this sort of thing have a social responsibility. I condemn the book and I condemn the author for not having the courage to identify himself."

Broadway Market-based publishers X Press caused a storm last month when they sent bullets accompanied by the sinister message "On April 21...I Start to Settle the Score" to newspaper offices across London as part of their advance publicity for the book.

"It's nonsense to say the book glorifies or encourages attacks on the police. It's a work of fiction and nothing more," said spokesperson Steve Pope. "The subject area won't be popular with some people, but they don't have to buy the book."

HACKNEY GAZETTE

15-4-94

**Worried about crime? Increasingly you can join your local council-funded street patrol. The police are not entirely convinced — yet the private policing of Britain's streets is growing. PETER HETHERINGTON and ALAN TRAVIS report**

# Pounding to a brand new beat

**A**S DARKNESS falls, Officer David Corrigan slowly drives his Ford Escort, with its familiar police-style Day-Glo stripe, towards a group of 25 youths standing menacingly around the railway museum in Shildon, County Durham.

A few bricks and insults are hurled. The officer, in regulation dark uniform and peaked cap, backs away. The crowd disappears into the night. And 34-year-old Corrigan, a former Para with lengthy service in Northern Ireland, congratulates himself on another crime-stopping job well done.

"As soon as I showed up, they disappeared," he recalls the following morning in the roster room of force headquarters, brimming with the latest technology to service the modern beat officer. "If I wasn't there, the place could have been wrecked. They seemed intent on breaking in."

David Corrigan could easily pass for a modern bobby. Yet he is no policeman. In his smart, white shirt with the "Community Force" emblem stitched to the front, he represents the new breed of private street-patrol officer increasingly seen by local councils as an effective

way to fight crime. The councils accept that they will never replace the police force itself — not least because of their strictly limited legal powers. But they see that the "real" police are overworked and understaffed, and are prepared to fund and operate their own streetwise forces.

This is not simply the use of private security firms to reassure well-to-do neighbourhoods. Sedgefield District Council in Durham, whose streets David Corrigan patrols, claims proudly to be Britain's first council-run community-style policing force. Next week, the London Borough of Wandsworth plans to follow by establishing its own network of "uniformed watchers" — trained volunteers, backed up by professional help.

Sedgefield's force became fully operational in January after an initiative by the leader of the Labour council, Brian Stephens. Canvassing voters, he found that crime and the police's apparent inability to curb lawlessness was an overriding concern. There was also a wider concern, which few councillors will publicly articulate: "People just weren't happy with the police," volunteers one. "You phoned up about a burglary and they arrived two hours later. The people just weren't happy so we decided to act."

Yet in Shildon, last Wednesday night, Patrol Officer Corrigan had to defer to higher authority outside the museum. He is one of 18 patrol officers and

back-up staff on the recently formed "community force" (motto: "Serve with Honour") who provide round-the-clock cover for 90,000 people in south Durham with beat patrols and from six white Pandas. He has powers only of persuasion and, as a last resort, citizen's arrest — although a high-powered radio, linked to HQ in a council depot, plus a mobile phone, can summon police when necessary. He did so on Wednesday: officers arrived within minutes and some youths took flight.

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Sedgefield set aside £185,000 to launch its force last autumn, and recruited staff aged 28 to 45. The officer in charge, John Reed, who retired last year from

Durham Constabulary as a chief inspector, is under no illusions about the reaction of his former boss, Chief Constable Frank Taylor. "Last October he said he was wary, then later gave it a cautious welcome, and I can understand that. This is something completely new. We are somewhere between a security service and the police. We are a crime-prevention force. The police investigate crime, although I accept they have a prevention role as well. But if we come across criminal behaviour we report it. We are the eyes and ears." Over the past few months, he insists, his officers have curbed attempted burglaries, car thefts and vandalism simply by "being seen".

Already, he says, the force has established a good relationship with council-tax-payers. "People are coming and telling us about nuisances. We are not working in competition with the police and our terms of reference are obviously different."

But Eric Anderson, deputy head of the force, acknowledges that the dividing line seems academic to many residents. He detects resentment among former colleagues in the local police force, where he was a sergeant. The official reaction last year hardly helped. "People should

be aware they are only getting a few extra eyes and ears," a Durham police spokesman said. "We would be happier if the money spent on this went to employing more officers." Resentment, perhaps? "There had to be, hadn't there?" Anderson responds. "What the police cannot do these days is provide some visible reassurance."

In the community-force headquarters, an illuminated operations board charts the movement of each patrol car while Kath McNulty, a clerical officer, logs each incident on a computer. After a month or so, incidents are compared to detect crime patterns. Nothing is left to chance. In the hard world outside, caution remains the key. Patrol officers receive extensive training in personal skills, as well as in first aid. They are preparing for a National Vocational Qualification (NVQ) in security. Most accept that, sooner or later, a patrolman will make a citizen's arrest. "We've come close to it, but nothing yet," says the chief.

Michael Howard, the Home Secretary, has perhaps unsurprisingly failed to make any public endorsement of the Sedgefield scheme, nor for that matter a similar project in Stockton-on-Tees. But it will be a strange local-election campaign if he does not take time in the next three weeks to plug the latest "innovation" from Wandsworth, the Conservatives' flagship London borough.

**W**ANDSWORTH'S leaders have promised to spend £275,000 improving neighbourhood security. Plans include setting up a network of patrols made up of walkie-talkie-equipped volunteers — "preferably with a military or police background" — to act as the police's "eyes and ears". The council claims it will be the "most organised move of its kind yet seen in Britain", with four professional team-leaders training volunteers and co-ordinating their efforts to help banish drug dealing, burglary, mugging and graffiti. The

Wandsworth scheme will first go to consultation and probably not begin before Christmas. But all this local-authority activity throws into sharp relief a problem with which the Home Secretary has been grappling for the past year.

Next week, the annual national crime figures will be published. For the first time in five years, the figures are expected to show a slight fall in the overall volume of recorded crime. Burglary is likely to be singled out as the area showing the largest fall, as police campaigns around the country (such as the Met's Operation Bumblebee), involving a large concentration of officers and intelligence, begin to bite. Michael Howard will no doubt trumpet these successes as his own — although senior officers believe they have little to do with his 27-point law-and-order package and everything to do with the police developing their approach to community policing.

Howard's problem has been that he has spent nearly a year calling for a new partnership between public and police. Yet when the public has responded by backing "have-a-go vigilantes", he has drawn the line.

Among his first decisions when he became Home Secretary last year was to raise the national recruitment target for the force of special constables — the unpaid part-timers who are under police control — from 25,000 to 30,000.

It was a well-intentioned way of trying to increase police numbers in the face of the continuing Treasury freeze on the recruitment of full-time constables. Unfortunately the public has failed to respond. The number of specials has been stuck at around 19,000.

Howard then took to the idea of neighbourhood patrols, after a trip to Washington DC last summer. But during the summer some British citizens, frustrated at what they saw as the inability of the police to deliver an effective service, started to mete out their own version of justice to suspected local criminals. The reported wave of "vigilantism" reached its peak when Duncan Bond and Mark Chapman (the "Norfolk Two") were

sentenced to five years' imprisonment, later reduced to six months after a public outcry.

The Lord Chief Justice, Lord Taylor, warned that if individuals took the law into their own hands, law and order would break down. The event also prompted Michael Howard to refine his "partnership with the public" message. Government advice became: "Be vigilant, not a vigilante".

In December he urged Britain's 115,000 Neighbourhood Watch schemes to mount their own civilian patrols. This, he said, would mark a "major advance" in the partnership of police and community in the war against crime. But ask the Home Office now what has happened to that scheme and you are met with a deafening silence, beyond the statement that "we are in consultation with the Association of Chief Police Officers on the whole issue of voluntary patrols".

The ACPOL president, Sir John Smith, explained the police view back in December: "We will have to ensure that people who go out patrolling, if that's what happens, are appropriately managed and linked in to the police to ensure they don't become a self-motivated set of vigilantes, which would be a serious concern to us."

Police suspicions of the official encouragement of such civilian patrols have been fuelled by the current Home Office review of their functions. Police leaders have expressed particular contempt for the growth in commercial security patrols. Unlike the community force at Sedgefield, these private companies — increasingly being brought in to patrol housing estates and individual roads — are funded by a small weekly levy per household.

Earlier this month the Chief Constable of Avon and Somerset, David Shattock, warned that the growth of some firms' untrained employees would result in a serious injury or death. "In Bristol there's a proliferation of private security firms patrolling the streets. I don't welcome it," he said recently, adding that one company advised its "security

guards" that baseball caps were a sure sign that young men were criminals. The police are also sceptical about whether such patrols actually cut crime. The recently retired Chief Inspector of Constabulary, Sir John Woodcock, said in his last annual report that their use in upmarket housing estates only shifted crime to poorer areas.

Nor is it just the police who are concerned at the growth of private street security. Pressure groups have been warning about the dangers of "privatised" city streets: even yesterday, uniformed security guards began to protect a new barrier that limits public access to a public road at the Chelsea Harbour development in London. This follows the recent closure of roads at Canary Wharf, in Docklands, to public traffic on security grounds.

"What began in the countryside with the enclosure movement is now being seen in cities," says Simon Fairlie of the Ecologist magazine. "The harring of travellers, the criminalisation of trespass, it's all part of the same phenomenon." Rodney Legg, of the Open Spaces Society, also sees a worrying trend that, for all its aims of barring the guilty, nonetheless accuses the innocent. "People are defining space as their own and then limiting access to it," he says. "We are losing the public ethos and reaching the point where people are regarded as threats unless they are known."

Back in Durham, John Reed has no doubt that the ethos of Sedgefield's community force is the way forward. "Where we lead, others will follow," he says. "We've had deputations from lots of councils."

Yet some of his officers have a warning for any community going too far down the road of private security. "Our great virtue is that we are accountable to local people through the council," says one. "We're not in this for profit, like a private firm. Just imagine ... a group of residents clubs together for security. One house refuses to pay. Think about it. They could become the prime target."

Additional reporting by John Vidal

16.4.94  
QUADRANT

# Cell death 'was frame-up'

Duncan Campbell  
Crime Correspondent

**T**HIS restaurateur accused of killing a man in a police cell told an Old Bailey jury yesterday that a police officer must have carried out the murder and taken part in an attempt to frame him.

Malcolm Kennedy, aged 46, from Stoke Newington, north London, pleads not guilty to the murder of Patrick Quinn, an unemployed labourer, aged 53, from Hammersmith, west London, in a cell in Hammersmith police station, on Christmas Eve 1990. Mr Quinn was beaten to death in the cell.

Mr Kennedy told the court

that he was arrested on the night of December 28 after a relative called police because he had become drunk and was refusing to leave her house. He was put in a cell and dropped off to sleep.

"Someone bumped into my legs," he said. "There was a fight going on. My impression was that someone was being beaten up. I was punched and told to keep out of it."

He said he believed that he was struck by a police officer.

He lost consciousness and when he came to, Mr Quinn was on the floor. "I asked if he was okay," Mr Kennedy told his counsel, Michael Mansfield QC. "He did not respond. I nudged him with my foot. I

tried to pick him up. He was a dead weight." He then went into a "kind of sleep" and woke to find officers in his cell.

He recalled an officer telling him: "You did it but you can't remember you did it." He was charged with the murder and in 1991 was convicted and sentenced to life.

Cross-examined by Timothy Langdale, QC, for the Crown, Mr Kennedy said he was reluctant to suggest which officer had been the murderer as he was very aware of what it was like to be wrongly accused.

A re-trial of the case was ordered following an appeal last year. The re-trial was halted for legal reasons.

The hearing continues.

GUARDIAN 19.4.94

# Bad arrest leads to gun fears

Last week armed police bungled an arrest in north London. Ben Summerskill reports.

**C**oncern over gun-toting police has surfaced again after armed officers were accused of using unreasonable force to storm the home of an elderly black couple in Queen's Park last week.

Officers from Scotland Yard's armed SO19 squad laid siege to the flat of Felix and Wilhelmina Angol, both in their sixties, last Tuesday evening. The police were searching for the Angols' estranged son, recently escaped from prison, where he was serving time for robbery.

As Mr Angol went to unlock the front door, officers broke it down. They pinned Mr Angol, who is infirm, to the wall. The couple were arrested, and refused permission to put on their shoes or coats and were made to walk through broken glass into the street. 'We had no choice,' said Mrs Angol, 'they were pointing guns at us.' Their feet were left cut and bleeding.

While police searched the flat, the Angols were locked in the back of a van for half an hour, despite the fact that two police stations are minutes away.

A Scotland Yard spokesman said: 'We were informed a man with a gun was on the premises. We only arrested the Angols to protect them. We phoned before we attempted to break the door down, but there was no answer.'

The Angols deny this. 'I have lived in

this country for 40 years,' said Mr Angol, a London Underground inspector. 'I have never broken any law and I feel humiliated and abused.'

A neighbour said, 'It was horrifying to see them taken away. They were terrified. It was like something from a film.'



Cynthia Jarrett, whose death in 1985 sparked riots in Tottenham.

Andrew Puddephatt, of civil rights pressure group Liberty, said: 'This was clearly a case of unreasonable use of force. There is no excuse for treating an elderly couple in this way.'

Superintendent Dick Heathman defended the raid: 'We're quite happy with this operation. They're entitled to make a formal complaint if they want.'

The incident will add to the debate

over arming London's 28,000 police officers, which has taken on a new urgency since two policemen were gunned down in Brixton last month. But the Angol incident will heighten concern among civil rights campaigners and leaders of the black community about the danger of bungled search and arrest operations involving armed officers.

The Met pledged to take more care after Stephen Waldorf was mistakenly shot in the West End in 1983. But other cock-ups followed, including:

- In 1985, police shot Cherry Groce when they burst into her Brixton flat searching for her son, Michael. The incident sparked the Brixton riots.

- In 1985, armed police raided Cynthia Jarrett's Broadwater Farm home. She had a heart attack and died. More riots followed in Tottenham, leading to the murder of PC Keith Blakelock.

- In 1992, police raided the home of the Dennis family in Newham, holding guns to the head of a 16-year-old boy. They were suspicious of a car parked nearby.

- Last year, the Howe family in Clapton were ordered into the street at gunpoint. Children were forced to lie in the road while police searched for the daughter's boyfriend. The police later apologised.

TIME OUT 20.4.94

# Vigilance fails to pay for English and Welsh

Alan Travis  
Home Affairs Editor

THE English and Welsh take the most stringent crime precaution measures but still suffer the sixth highest burglary rate in the world, according to a survey published this week which also finds that Northern Ireland has one of the lowest crime rates.

The International Crime Survey, coordinated by the Dutch Ministry of Justice and based on 50,000 interviews in 20 countries, shows that drivers in

England and Wales face the greatest risk of having their car stolen but are more likely than average to get them back because more thefts are for joyriding.

The survey shows that 3.3 per cent had their cars stolen in 1992 in England and Wales compared with 3 per cent in Italy and Australia; 2.8 in France; 1.9 in Spain; and 0.5 per cent in Germany and the Netherlands.

Burglars got into homes most often in Czechoslovakia, New Zealand, Australia, and Canada with England and Wales lying fifth.

The Home Office commentary on the survey says that in Northern Ireland, Switzerland, Norway, and Japan, fewer than one in six of the population becomes a victim of crime in any one year.

England and Wales is slightly above the European average with just under one in four victims, on a par with Czechoslovakia, Italy and Spain. Top of this league are New Zealand, the Netherlands, Canada, Australia and the US where the figure is one in three.

The risk of women being sexually assaulted is much lower

(1.7 per cent) in England and Wales than the European average (2.0 per cent) with women in Australia and Canada facing the highest risk.

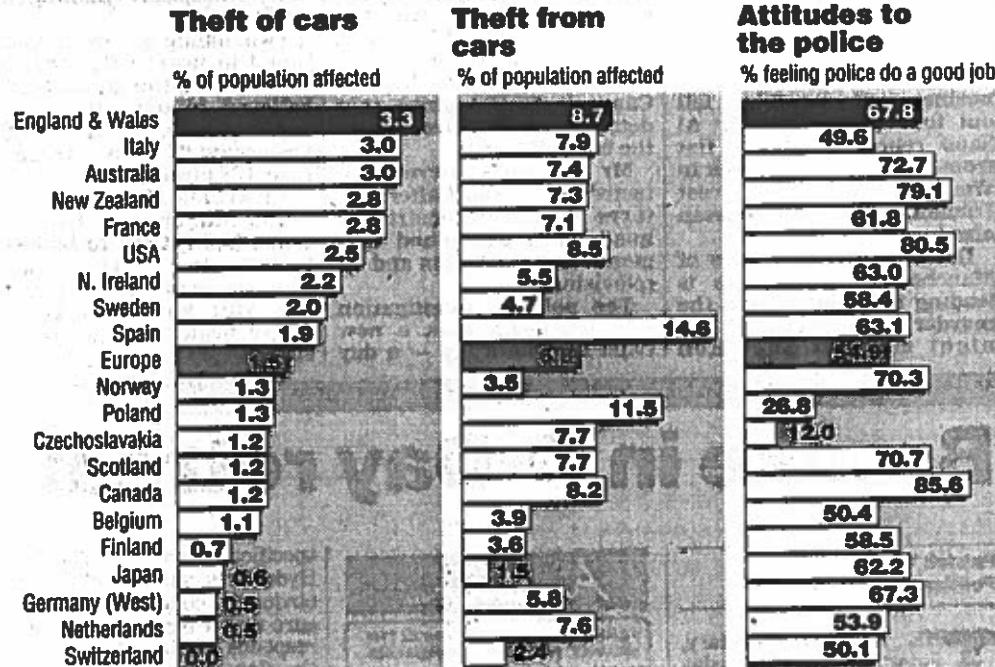
The police have retained the confidence of the public in many countries with 67 per cent in England and Wales feeling they do a good job — about the seventh highest approval rating. In Scotland the rating is 70 per cent.

Poland and Czechoslovakia

have the lowest ratings with 12 per cent in Prague favourably disposed.

The Home Office said the survey showed that a combination of affluence and urbanisation led to the highest property crime risks. But there were exceptions, such as Japan which managed to combine affluence and large concentrations of people in cities with consistently low risks for most crime categories.

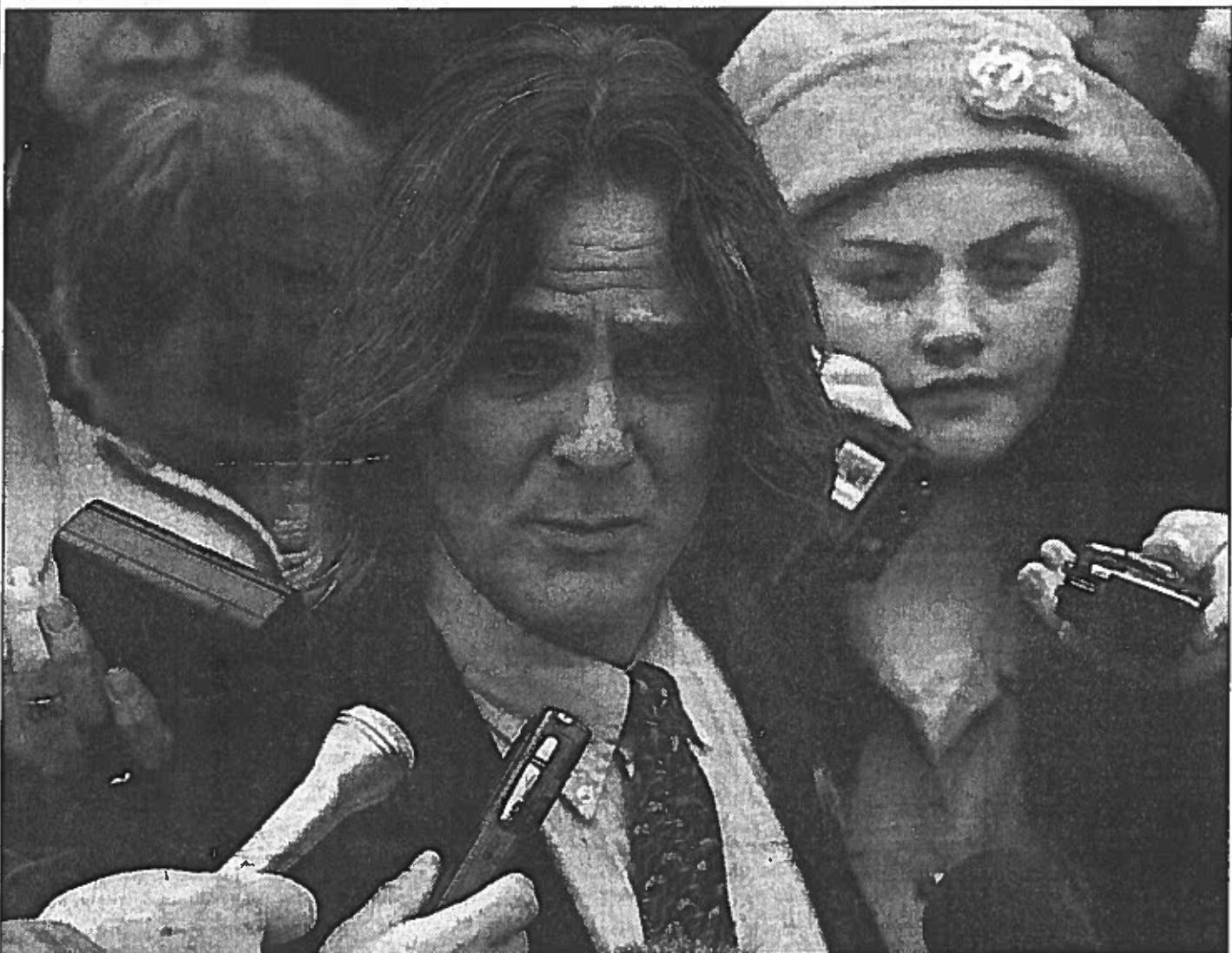
## International crime survey



Source: Home Office, 1988-91 Figs

GUARDIAN  
21.4.94

**'I didn't wait 17 years to be told I was innocent of this. I always knew that I was innocent'**



Paul Hill with his daughter Cara after yesterday's Belfast appeal court judgment. 'I want to lead a normal life now,' he said

PHOTOGRAPH: MARTIN McCULLOUGH

## Paul Hill finally cleared of murder

### David Sharrock in Belfast

**T**HE final chapter in a 20-year saga of miscarriages of justice drew nearer yesterday with the simultaneous quashing of Guildford Four member Paul Hill's remaining murder conviction and an announcement by West Midlands Police that the hunt for the Birmingham pub bombers has been wound up.

The decisions draw a line under the prosecutions arising out of the IRA's 1974 bombing campaign in England, for which 17 innocent people — the Birmingham Six, the Guildford Four and the Maguire Seven — served long jail sentences.

The former appeal judge Sir John May will now complete his five-year inquiry into the Guildford Four case after studying yesterday's Northern Ireland Appeal Court judgment on Mr Hill, which found his

conviction for the murder of former soldier Brian Shaw in 1974 to be "unsafe and unsatisfactory".

The Belfast appeal heard new evidence, gathered by Avon and Somerset Police, that 10 Surrey officers involved in interviewing the Guildford Four were guilty of, or party to, serious impropriety. Last April three Surrey detectives were acquitted of charges arising from the case.

Speaking after the judgment, Mr Hill, aged 39 and now married to Courtney Kennedy, daughter of the assassinated US attorney-general Bobby Kennedy, said: "I want to lead a normal life now. I have been in limbo for a long time. I didn't wait 17 years to be told I was innocent of this. I always knew I was."

The Appeal Court decision leaves the way open for Mr Hill to claim an estimated £500,000 compensation for 15 years' wrongful imprisonment.

The Lord Chief Justice, Sir Brian Hutton, said the conviction for the murder of Mr Shaw, who was 21 when he was executed by the IRA in west Belfast, was unsafe and unsatisfactory. But in a 42-page judgment he said Mr Hill's credibility was seriously undermined and, on the balance of probabilities, a number of interviews he claimed took place at Guildford police station never happened, and Surrey officers' evidence at the Belfast trial was true.

The only evidence against Mr Hill was a confession he signed while under arrest at Guildford police station in connection with the Guildford and Woolwich IRA pub bombings in which five people were killed.

Sir Brian said the quashing of his conviction rested on a fundamental principle of common law, that a civilised society "cannot permit a confession — even if true — to be obtained by improper methods".

Saying it was "very probable" that police constable Gerry Queen fired an unloaded revolver through the hatch of a cell door at Guildford police station, Sir Brian added that this "clearly constituted inhuman treatment".

Mr Hill afterwards left for Dublin in a stretch limousine with his wife and other Kennedy family members. His mother-in-law Ethel said they would be celebrating.

Disputed 24 hours, page 2

GUARDIAN 22.4.94

## Threats with revolver, assaults and food and sleep deprivation 'made Paul Hill ready to agree to any suggestion or allegation'

David Sharrack in Belfast

IT DOES not take long to lose a life, Paul Hill wrote after his conviction for the Guildford pub bombings was quashed.

Mr Rowe then told the court that: "After Mr Hill's arrest there was likely to have been an armed presence at Guildford."

Mr Appleton then withdrew his second witness, Sir William Sutherland, a former Surrey chief superintendent and now chief constable of Lothian and Borders.

Yet Mr Appleton continued to claim that since no records existed for the interviews that Mr Hill said he was subjected to before the arrival of the RUC at Guildford, it was a question of whether or not the court could believe his word.

"We get to the stage where he's telling so many lies why should anyone believe anything he says about ill treatment?" Mr Appleton told the court.

In his book, *Stolen Years*, Paul Hill wrote of the early 1970s: "Many of my friends joined the IRA and I understand why they did so. But not everyone rushed to take up arms. There were those, and I was among them, who ... wanted no part of the organisation."

However, in 1988 he told Grant McKee and Ros Franey, authors of *Time Bomb*, a book about the Guildford Four published before their convictions were quashed: "Sure I was involved, I'm not denying that. We were in a transition period where people were going from the battalion structure to the cell structure. There were only four of us left in D Company."

The authors continue: "At the very least, on his own admission, he was a member of Fianna, the IRA youth movement. Paul Hill — his motivation and the truth about his exploits — remains a mystery."

Mr Hill was born 39 years ago in the Docks area of Belfast. His alcoholic father was a Protestant from the staunchly loyalist Sandy Row area, his mother a Catholic from Cairns Road in the heart of republican west Belfast. He was the eldest of five children.

He left school at 14 and was soon lured to England in search of work, returning to Belfast to see family and cure his homesickness.

In 1988, during his thirteenth year in prison for the Guildford and Woolwich pub bombings, he married American Marion Serravalli after a short correspondence. The marriage did not survive his release and in 1990 in New York he met Courtney Kennedy, whose father Robert was assassinated in 1968.

Lord Gifford told the court he would be calling senior Surrey officers who would testify that there were no armed officers on duty during the disputed 24-hour period.

He was apparently unaware that former deputy chief constable Christopher Rowe had changed his mind about his recollection of events until he

years in prison before they were cleared on appeal in 1991.

Paddy Hill, aged 48, spoke of a cover-up which left a cloud of suspicion over them. Another of the Six, Gerry Hunter, aged 47, demanded a public inquiry to put an end to suspicions that they had been cleared on a technicality. He said it should examine "the whole aspect of this case — not only the bombing but also the torture and beatings we have been through and then we could finally put it to rest."

Marie McArdle, aged 48, of

Bordesley Green, Birmingham, who suffered head injuries in the Tavern in the Town blast, said she was shocked the file was closed. "It is terrible. Everybody will be disappointed that no one is going to be brought to trial."

Chris Mullin, Labour MP for Sunderland South, who wrote a book on the case, *Error of Judgment*, believed police had a "very good idea" who carried out the bombing. But it was "one thing to have a hunch and another to have sufficient evidence to bring the culprits to court 20 years after the event".

Ron Hadfield, Chief Constable of the West Midlands force, said all inquiries which they could "reasonably complete"

## Bond of violent loss fails to heal wounds suffered by families on opposite sides of appeal case as they meet in courtroom

ONLY a few feet separated them, but the two families remained worlds apart throughout the Paul Hill appeal, writes David Sharrack.

In the front row of the public benches in a courtroom of the Royal Courts of Justice sat the Kennedys, an elegant line of patient leather shoes and Chanel suits, tanned faces and dazzling teeth. Immediately behind them was the Shaw family, ordinary middle-class folk clothed by Marks and Spencer, painfully aware of the shadow in which they sat.

Maureen Hall, the remarried widow of Brian Shaw, stayed at home on the first day to avoid media attention. "It was too upsetting for me, but I was glad I was strong enough to come eventually," she said.

It was the memory of her husband of just two weeks which compelled her to sit through the 20-year-old evidence, within touching distance of Paul Hill. "I wanted to see him," she admitted, but could not understand why the Kennedys turned up in such numbers. "They lost two of their brothers to assassins."

But the bond of violent loss failed to bring the families together. Ethel Kennedy, Paul Hill's mother-in-law and the widow of Robert Kennedy, walked across to the Shaws and told them that she "loved Brian". It wasn't enough for the Shaws to forgive the Kennedys

for "hijacking" the appeal. Maureen said that not a day went by without a memory of her first husband.

"He left with his jacket in a bag and his last words were 'see you later,'" said his mother-in-law Georgina Ashwood. Mr Shaw, a 21-year-old member of the Royal Greenjackets from Nottingham, who bought himself out of the army to marry Maureen, was going out to pay for the wedding flowers.

It is known that he drank a pint in a city centre pub where he met Hector Young, another former soldier from west Belfast. A few drinks later the two men decided to go to the Glenfin Bar in the heart of Divis Flats, a republican stronghold.

His English accent stood out a mile and after a short time he was led away by two men, one of them allegedly Paul Hill. Mr Shaw was questioned by the IRA and taken to a derelict house in Arupple Street, where he was shot dead. A woman out looking for her cat found his hooded body.

One of his alleged killers, Martin Skillen, was shot dead in a gun battle with the army a fortnight later.

For Mr Shaw's family, his journey into west Belfast remains unexplained. "Totally out of character," said his brother-in-law Sammy Ashwood. "He would sip a pint but he never got intoxicated in my presence."

## New Surrey police prosecutions unlikely, say lawyers, despite allegations that 10 officers lied and concealed interviews

Claire Dyer  
Legal Correspondent

**N**EW prosecutions against Surrey police arising from evidence which emerged during Paul Hill's appeal are unlikely, lawyers said yesterday.

Lord Gifford, Mr Hill's QC, told Sir Brian Hutton, the Northern Ireland Lord Chief Justice, that fresh evidence im-

plicated 10 Surrey officers in lying and concealing interviews between the police and their client.

Only three officers were charged with conspiracy to pervert the course of justice over the Guildford Four convictions; all were acquitted last year.

The three officers failed to have the charges thrown out on the grounds that a fresh trial was impossible. But West Midlands police, charged with alim-

ilar offences over the Birmingham Six case, persuaded a High Court Judge that publicity and lapse of time ruled out a fair prosecution.

Anthony Scrivener, QC, a former Bar Council chairman who represented another of the Four, Gerard Conlon, said:

"The courts have become much more alert to factors which can affect a fair trial such as sustained publicity over a long period and delay which can cause the defence to be prejudiced by a lack of evidence."

Sir Brian said the Crown had failed to disprove Mr Hill's evidence that PC (now inspector) Gerry Queen had pointed a loaded revolver into his cell the night before he was interviewed by the RUC about Brian

Shaw's death. But that falls short of the positive proof which would be required for a criminal conviction.

Any prosecution over that incident, which Sir Brian described as "disgraceful act" would have to be brought in England where it allegedly happened rather than by the Northern Ireland Director of Public Prosecutions.

The May inquiry may shed some light on the unanswered questions about how far Surrey police were responsible for what has proved to be two serial miscarriages of justice.

Sir John May, who has been waiting for the result of the Hill appeal, is expected to submit a report to the Home Secretary within the next few weeks.

GUARDIAN 22-4-94

## Birmingham Six outraged as police close inquiry

Louise Jury finds widespread dismay at end of the £1.7 million investigation

THE file on the 1974 Birmingham pub bombings, which left 21 people dead and 162 injured, was closed by the West Midlands police yesterday at the end of a £1.7 million investigation prompted by the release of the six men wrongfully convicted of the crime.

The announcement that the Director of Public Prosecutions had found "insufficient evidence to support any further criminal proceedings" was greeted with outrage by the Birmingham Six who had spent 16

years in prison before they were cleared on appeal in 1991.

Paddy Hill, aged 48, spoke of a cover-up which left a cloud of suspicion over them. Another of the Six, Gerry Hunter, aged 47, demanded a public inquiry to put an end to suspicions that they had been cleared on a technicality. He said it should examine "the whole aspect of this case — not only the bombing but also the torture and beatings we have been through and then we could finally put it to rest."

Marie McArdle, aged 48, of

Bordesley Green, Birmingham, who suffered head injuries in the Tavern in the Town blast, said she was shocked the file was closed. "It is terrible. Everybody will be disappointed that no one is going to be brought to trial."

Chris Mullin, Labour MP for Sunderland South, who wrote a book on the case, *Error of Judgment*, believed police had a "very good idea" who carried out the bombing. But it was "one thing to have a hunch and another to have sufficient evidence to bring the culprits to court 20 years after the event".

Ron Hadfield, Chief Constable of the West Midlands force, said all inquiries which they could "reasonably complete"

had been made. New evidence discovered was insufficient to take the case further. "We have done everything we could have possibly have done to bring the perpetrators to justice. I would have doubled the amount spent on this investigation if it had been necessary."

He agreed with the appeal court's decision that the Six — the others are Hugh Callaghan, Richard McIlkenny, Billy Power, and Johnny Walker — were innocent.

"This inquiry was not mounted with a view to finding evidence that any of the people known as the Birmingham Six were in any way implicated in these murders or that any of the police officers were in

involved in any improper practices," he said.

Forty West Midlands officers have spent the three years since the Six's release on the inquiry logging more than 6,200 names, 6,079 inquiries, 517 statements, and 806 reports on the police computer.

Mr Mullin said four people responsible for the bombing passed through police custody in the year after the blasts at the Tavern in the Town and Mulberry Bush. He claims to have met the men. He said: "Had they been looking at the time for the real bombers, they might well have caught them. But 20 years on . . . I think it is very unlikely the real culprits will ever be caught."

Mr Hill said: "I am very angry. They have not tried to find anybody else. I hope the people of Birmingham and the relatives of the victims will not let it rest. I hope they will start screaming for a public inquiry."

Ludovic Kennedy, who campaigned against the convictions, said the police were trying to "let themselves off the hook. It is the same old story — they never admit they were wrong. It is contemptible."

Three West Midlands officers were charged with perjury and conspiracy in connection with the investigation which led to the false convictions, but their trial was halted last October on the grounds of prejudicial media coverage.

Report considers giving officers a say on body armour

# Met police may get choice of batons

**O**FFICERS in the Metropolitan police could soon choose which kind of baton they carry and whether they wear body armour on the streets.

Already individual stations have been issued with bullet-proof and knife-resistant vests because of gun and knife attacks in their areas. A report due to be completed next week is likely to recommend that officers be allowed to choose their own form of protection.

The move is part of a nationwide shift towards officers being allowed to "mix 'n' match" the protective equipment they feel comfortable with, instead of waiting for centralised decisions with which beat officers have become impatient.

Every officer in Brixton in south London, where officers Simon Carroll and Jim Seymour were shot and wounded earlier this year, has now been issued with a bullet-proof vest. Officers at nearby South Norwood station, which deals with a large number of knife attacks, have been issued with knife-

proof vests. A study of Metropolitan officers' attitudes to equipment is due to be completed next week by Deputy Assistant Commissioner Larry Roach. Police Commissioner Paul Condon is understood to be planning to allow each station a choice of long-handled and standard 15-inch batons.

The long baton is said to have proved the most popular in trials as it gives the officer five feet between him or her and a knife attacker.

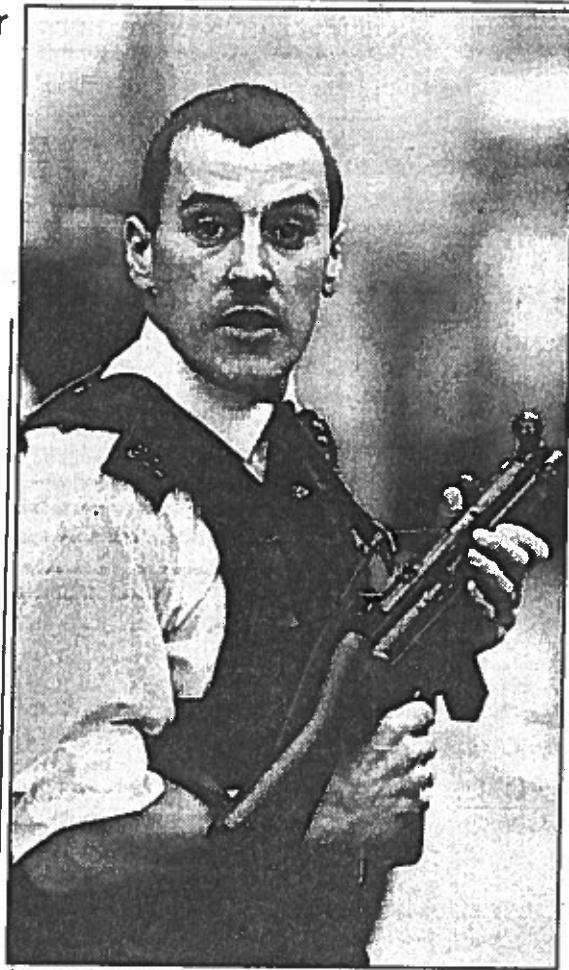
Senior officers throughout the police are also hopeful that pepper gas sprays will shortly become standard issue. Last week Sir John Smith, president of the Association of Chief Police Officers, called on the Home Secretary to start trials for the sprays, which disorientate but are said not to cause permanent damage.

In Northumbria, which had 668 serious assaults on officers in 1993, the Arnold 20-inch baton and lightweight protective vests have already been issued. A spokesman said Northumbria was aiming to become the first in the country to provide a

lightweight vest to guard against stabbing, slashing and bullets. Officers will be free to wear them whenever they feel it necessary.

Many senior officers say no lightweight vest at present gives full protection against both stabbing and bullets. It is pointed out that even if PC Patrick Dunn, who was shot dead in Clapham, south London, had been wearing a vest, his life would not have been saved as he was shot under the arm. A further problem of the dual-purpose vest — similar to those worn by foreign correspondents in wars — is its weight, which makes it uncomfortable to wear in heat.

However, it now seems likely that the British public will gradually become used to officers wearing a mixture of protective armour and weaponry. The changes could be even greater: an article by PC Michael Harrison in the current edition of Police Review suggests that there is nothing in law to stop officers buying and wearing their own firearms.



An armed policeman in body armour PHOTOGRAPH: EAMONN McCABE



Protection selection . . . An array of truncheons and US-style batons PHOTOGRAPH: E HAMILTON WEST

## Police think again over aiding crime reconstructions on TV

Duncan Campbell  
Crime Correspondent

THE police are drawing up new guidelines for co-operation with TV crime reconstruction programmes, it was confirmed yesterday.

Privately senior officers have expressed dismay at some reconstructions which they see as being made purely for entertainment, and resent officers having to pass information to film-makers who they feel do not always use the information sensitively.

Officers are also concerned about the effect on victims or relatives of victims when old crimes are broadcast. There was criticism of Michael Winner's True Crime programme when it dealt with the death of Rachel McLean, the Oxford student murdered by her boyfriend, John Tanner.

A meeting of senior officers next month will discuss an internal document which questions whether such programmes make best use of officers' time and whether they may add to the fear of crime.

No specific programmes are mentioned in the discussion paper which has been produced by the Metropolitan Police's directorate of public affairs and there are no plans for a blanket ban on such programmes.

Yesterday a Scotland Yard spokeswoman said that an internal document prepared by the Directorate of Public Affairs set out suggested guidelines within which officers will be able to take part in crime reconstructions. "There is no intention to withdraw total support," said the spokeswoman.

A spokesman for the Association of Chief Police Officers said yesterday that a copy of the document had been sent to Richard Wells, the Chief Constable of South Yorkshire and chairman of the ACPO media committee.

The spokesman added that chief constables had to bear in mind the best use of scarce police resources, although it was accepted that some reconstructions, such as those on Crime monthly and Crimewatch UK, could often be helpful in tracing witnesses and solving crimes.

GUARDIAN 25-4-94

# Absent murder case PC 'normal'

Duncan Campbell  
Crime Correspondent

**A**POLICE officer excused from giving evidence in a murder trial on the grounds of his mental condition was "mentally normal," a consultant psychiatrist said at the Old Bailey yesterday.

The defence has said it regards PC Paul Giles as an important witness. The court also heard that another officer in the case was a "tragedy waiting to happen" because of his confrontational style.

Malcolm Kennedy, aged 46, a restaurateur from Stoke Newington, north London, denies murdering Patrick Quinn, 53, an unemployed labourer, from Hammersmith, west London, in a cell in Hammersmith police station on Christmas Eve, 1990. Mr Quinn was stamped and beaten to death.

Nigel Eastman, of St George's medical school, said that last month he had examined PC Giles, who had put Mr Quinn in the cell and who gave evidence at Mr Kennedy's previous trial, and found him not to be suffering from any mental illness.

Dr Eastman told Michael Mansfield, QC for Mr Kennedy, that PC Giles was clearly deeply upset by the death of Mr Quinn and would also have been upset by a World In Action documentary in April 1992 on the role of the police in the case.

He said that stress suffered after such a programme would be lesser if the person concerned felt he had done nothing wrong. The question was, why was the death of Mr Quinn so significant as to precipitate illness?

Chief Inspector Gareth Jones, who was responsible for personnel and training, said that he had written to the head of the station about another officer, PC Emyln Welch.

The memo asked: "Is this man suitable to be a police officer? Is this a tragedy waiting to happen?" There had been concern about PC Welch's confrontational manner.

Earlier the former Assistant Chief Constable of Merseyside, Alison Halford, said normal procedures following a death in police custody did not appear to have been followed.

The case continues today.

GUARDIAN

26.4.94

# New Lords threat to Howard

Alan Travis  
Home Affairs Editor

**T**HE chairman of the Royal Commission on Criminal Justice last night warned the Home Secretary that his plans to limit the suspect's right to silence will lead to a significant increase in the risk of wrongful convictions.

The warning from Viscount Runciman, during the second reading in the Lords of the Criminal Justice and Public Order Bill, was backed by Tory peers including Lord Alexander, a former chairman of the Bar Council and signalled renewed problems in the upper house for Michael Howard's 27-point law and order package.

Amidst reports that the Lord Chief Justice, Lord Taylor, is privately asking for new safeguards for defendants if the right to silence is to be limited, it appears that the Home Secretary will be forced to make further concessions to get his package through.

After the savage mauling the Lords gave to the Government's bill to reform the police and magistrates' courts, Mr Howard will be wary of the political cost of leaving himself open to further defeats by peers.

Opening last night's second reading debate, both Lord Hall sham, a former lord chancellor and Lord Rawlinson, a former attorney-general, tried to defuse the gathering new revolt with speeches strongly supporting the bill.

But other Conservatives indicated that potential rebellions are brewing during the bill's committee stage over the Government's plans for secure training centres for persistent juvenile offenders and the Commons decision to lower the age of consent for homosexuals to 18. A concerted attempt, led by the Duke of Norfolk, is to be made to restore it to 21.

Lord Runciman said the Government's plan to limit the right to silence went against the nine-to-two majority recommendations of the Royal Commission which reported last summer and was set up in the wake of the Birmingham Six case.

Mr Howard proposes to allow judges to tell the jury to draw an inference that the defendant is guilty if he refuses to answer police questions.

Lord Runciman argued that this would "put into reverse the main thrust of the Police and Criminal Evidence Act", which brought the police interview



"We have been called parasites. We are not... we are homeless," squatter Jim Carey told the meeting. PHOTOGRAPH: DAVID SULLIVAN

## Alternative lifestyle groups express alarm at public order crackdown

**I**t was probably Michael Howard's worst nightmare: a squatted church in North London, renamed the One World Rainbow Centre, filled by the Levellers folk band and the civil rights group Liberty with more than 500 travellers, squatters, free festival organisers, hunt saboteurs, and anti-road campaigners to protest at the Criminal Justice and Public Order Bill, writes Alan Travis.

Whether they were from Alarm UK, the Exodus Collective, Spiral Tribe, the Stonehenge campaign, the Dragon

environmental collective or the Rainbow Gnomes, they all wanted to warn that the Home Secretary's new public order crackdown would harm their alternative lifestyles.

The Levellers folk band, who organised the meeting, said it would criminalise lifestyles that Tory voters disapproved of: "These opinions are not made from an informed position but because of irrationality and fear of the unknown. Normally we expect to be able to rely on an intelligent government to see through hysterical reac-

tions and take into account bigotry and ignorance when forming legislation. This is quite clearly not the case with this bill."

For Liberty, Andrew Puddephatt, the general secretary, said: "There is a conflict of values between a group of people who are desperate to hang onto political power, who believe in hierarchy and deference, and people who share a commitment to democracy, sharing, equality and democracy."

Under the banner of "defending diversity — defend-

ing dissent" in the joss-stick scented aisle, speaker after speaker claimed the bill's public order provisions would turn peaceful civil disobedience protests into criminal conspiracy.

Debby Staunton, of the Advance Party, whose free festivals are threatened by the "anti-rave" measures in the bill, said: "Some of us might have bizarre haircuts and want to dance all night but why should we be criminalised for it. Personal freedom is a right that should never be compromised."

into the police station where it could be tape recorded with a solicitor present. He said: "If you think the problem of police malpractices has been eliminated you are not living in the real world. These measures will expose the frightened and confused suspect to undue and improper pressures that will risk wrongful convictions."

He also claimed that the plans

to abolish the right to silence would reopen all the contentious allegations of the 1970s of police car seat confessions.

He was supported by Lord Alexander of Weedon, the chairman of Justice, the all-party law reform group, who said most miscarriages of justice in the past had been fuelled by inaccurate confession evidence. The proposed new pressures on

the suspect would only increase the risk of false confessions as there was no requirement for safeguards such as tape recorders or solicitors.

"Adverse inferences may be drawn from a failure to disclose any fact at all which is later relied on in defence. This is a charter for unlimited police interrogation."

But the Home Office minis-

ter, Earl Ferrers, insisted there was no compulsion on anyone to give evidence: "There is no question of convicting anyone on silence alone. The effect of the proposals in the bill is simply that those who remain silent will no longer be specially protected from any inferences which common sense may suggest might be drawn from that silence."

## Police debate roots of crime

Duncan Campbell

**T**HE Police Federation is entering the debate on whether poverty and unemployment are the main reasons for crime.

A motion suggesting that "the cause of crime is inevitably linked to deprivation and unemployment" will be debated at the federation's annual conference in Brighton next month.

The motion, which has been proposed by the Avon and Somerset branch with an amendment from the West Mercia branch, could cause embarrassment to the Home Secretary, Michael Howard, who will be addressing the conference. The Government has consistently denied that a root cause of crime is poverty and lack of job prospects.

The Avon and Somerset branch calls on the federation's representatives to press the Government to take effective action to reduce the crime level. The motion reflects growing disillusionment within the service that the police are being asked to clear up society's problems and blamed when the crime figures rise.

Another motion from West Mercia expresses police concern about being used in industrial disputes.

Other motions call for the introduction of incapacitants, such as the pepper gas spray which the Association of Chief Police Officers favour. Meetings are being sought with the Home Secretary to press the case for such equipment.

There are also calls for laws which would make it an offence to wear an article which conceals identity at a public gathering. This motion, from Merseyside, is aimed at demonstrators who wear balaclava helmets or bandanas and scarves in cowboy fashion.

Another conference motion will urge the adoption of a system whereby an offender is jailed-on-reaching-a-certain number of penalty points.

GUARDIAN

26.4.94

## Three police face manslaughter charges over Joy Gardner death

Duncan Campbell  
Crime Correspondent

THREE police officers are to be charged with the manslaughter of Joy Gardner, who died in north London last year after being arrested under a deportation order.

The Crown Prosecution Service said last night that Detective Sergeant Linda Evans and PC John Burrell have been summoned to appear at Bow Street magistrates court in central London on June 21.

A third officer, a male constable who is on holiday abroad, has not yet been served with a summons.

A spokeswoman for the CPS said that the decision follows an inquiry by the Essex assistant chief constable, James Conlan, into the circumstances surrounding the death.

Mrs Gardner, aged 40, died on August 1, 1993, four days after a struggle at her home in Crouch End, north London, on July 28, when officers arrived to deport her to Jamaica, where she was born. She was restrained in front of her son Graeme, aged 5, before collapsing. She died in hospital without regaining consciousness.

Her death provoked a series

of protest demonstrations and aroused great disquiet in the black community in London.

The officers, who were accompanied by a Home Office official and local uniformed officers, were suspended by the Metropolitan Commissioner, Paul Condon, shortly after Mrs Gardner's death.

Mrs Gardner's mother, Myrna Simpson, welcomed the decision yesterday and said: "I hope that it will achieve justice for Joy." She hoped there would also be a public inquiry.

Mrs Gardner's lawyer, Dje-mail Dervish, said that wider issues involving deportation procedures should be addressed.

Barbara Roche, Mrs Gardner's MP, welcomed the fact that the circumstances of the death would be put before a jury but called for a full public inquiry into the circumstances.

The Police Federation's Metropolitan branch chairman, Mike Bennett, said officers in London were angered by the decision to prosecute. "It begs the question why these officers stand alone when somebody in authority authorised the use of the gagging equipment."

Operation that went tragically wrong, page 4

## Chief inspectors saved in new Howard climbdown on police bill

Stephen Bates

THE Government gave a further concession to critics of its badly mauled Police and Magistrates' Courts Bill in the Commons last night by stating that it would not abolish the rank of chief inspector as part of its plans to streamline the police service.

Michael Howard, the Home Secretary, was forced to accept some of the amendments imposed by the House of Lords when he introduced the bill, which reforms the structure of the police forces and their controlling authorities and magistrates' courts, for its second reading.

With Labour jeering that there were already 23 amendments to the legislation from its Lords' passage, Mr Howard

confirmed that he would accept the Lords' refusal to allow the Home Secretary to appoint police authority chairmen or independent members of the authorities.

But promised to reverse another Lords amendment which would prevent disciplinary proceedings being brought against an officer who had been acquitted in a criminal court — the so-called double jeopardy amendment.

Mr Howard said: "Crime and lawlessness pose a supreme challenge to all modern democracies. This Government is determined to meet that challenge by taking action across the board to ensure we have the most efficient and effective criminal justice system possible."

He charged Labour with hypocrisy in its opposition to the

bill: "For Labour to pose as an ally of the police is rather like Eugene Terreblanche posing as a friend of Nelson Mandela."

Labour's home affairs spokesman, Tony Blair, attacked the measure, claiming it had not been altered far enough. He told the Commons: "It comes before us in a badly wounded and severely limping state. It has been changed but it has not been changed nearly enough."

The two men repeatedly clashed over the extent to which a home secretary could set targets for local police authorities, with Mr Blair claiming that it would undermine the Government's assertion of the independence of the bodies and Mr Howard retorting that it would only mean the identification of goals to be strived for.

Attacking the convoluted pro-

cedures governing police authorities, Mr Blair said: "We have an extraordinary wasteful procedure from the party for cutting red tape, waste and bureaucracy in order to ram through proposals which no one supports and no one has ever asked for."

The legislation did not receive an unalloyed welcome on the Tory benches either. Roger Sims (Chisellhurst) a former magistrate, said: "Those responsible for putting together this bill seem to have been remarkably insensitive to the opinions of those affected by it. It is no small achievement to produce a measure which is greeted with the unanimous opposition of all the police organisations, magistrates' association, justices' clerks and a cross-section of knowledgeable members of the Lords."

## Howard opens new front over crime

Stephen Bates  
Political Correspondent

MICHAEL Howard, the Home Secretary, yesterday opened a new front in a crime crusade which has pitched him against police and most of the legal establishment by alleging that schools and parents are to blame for a lack of discipline and respect for authority among children.

Mr Howard said that while failures at school and in the home did not cause crime, they created the conditions in which it could thrive. Labour's home affairs spokesman, Tony Blair, accused the Home Secretary of getting into a muddle about the causes of crime.

In a speech interpreted by some at Westminster as a reassertion of his credentials with the Tory right, Mr Howard told an Institute of Directors meeting in London: "In many ways, the police, the courts and the prison service are just picking up the pieces for the failures of others: the failure of some parents to give children proper values and the ability to discern right from wrong, the failure of some schools to instil discipline and respect for authority."

"Failures in the home, at school and in society at large do

not cause crime in the sense that sunshine melts snow ... but clearly these failures do create conditions in which crime and law-breaking can thrive."

In a speech last November, the Home Secretary said that "trendy theories" trying to explain away crime by blaming socio-economic factors should be discounted: "Trying to pass the buck is wrong, counter-productive and dangerous."

Yesterday Mr Howard conceded that studies in the United States showed that offenders who got jobs were less likely to offend in future. "That chimes in with common sense."

But he added: "The fact that an offender has been able to get a job may show that his attitude has changed ... arguing that unemployment leads inexorably to crime makes much less sense. It insults those who are unemployed who do not commit crimes. Once again it denies individual responsibility."

Mr Howard said: "And just listen to the justifications put forward by the social workers who send young criminals on holidays abroad. You hear everything about the needs of the criminal, nothing about the need to protect society."

Mr Blair said: "Of course the family and schools have a crucial role to play in how our chil-

dren grow up, but families and schools exist and live in a broader community and society and to draw a line under the causes of crime and say the family and school matter but broader social conditions like unemployment, levels of opportunity for our young people and poverty do not is simply foolish."

"The truth is, Mr Howard is now in a series of semantic twists and turns to avoid saying straight out what is plain common sense, yet what he has been busy denying for months, that there is a link between economic opportunity in society and the growth in crime."

In a further intervention in the moral debate, John Patten, the Education Secretary, asserted that schools' role was limited and it was up to parents to instill a conscience in their children.

In an article in the London Evening Standard Mr Patten said: "What parents ... should be drumming into the heads of their offspring is a fearless sense of values, why they should have a conscience."

"The age-old principles of right and wrong, good and evil, can be taught almost from the cradle. We have to face the reality ... that some families can't or won't do it all. Teachers [have] all too often to take on the role of parent or preacher."

## Arrest that went tragically wrong

Edward Pilkington  
on the background to the prosecution of 3 police officers

AT 7am on July 28 last year, two police cars pulled into a new housing association estate in Hornsey, near the squalid north London hamlet of Crouch End. They contained three specialist police officers from Scotland Yard's immigration unit, SO16, two local police officers, and an immigration official.

What happened over the next half hour is a matter for a jury to decide following yesterday's decision to prosecute the three specialist officers for manslaughter. All that can be said with certainty is that the operation on which the officials had embarked went tragically wrong.

The plan was to arrest Joy Gardner, a 40-year-old Jamaican, and arrange for her depor-



Joy Gardner ... died four days after attempt to deport her

tation on the grounds that she had overstayed a six-month visitor's permit granted in 1987. While Mrs Gardner was being restrained in her flat she entered a coma from which she never recovered. She died in hospital four days later.

News of her death spread like wildfire through black communities across London and beyond, prompting fears that the devastating rioting of 1981 and 1985 was about to be repeated. The dead woman's mother, Myrna Simpson, attended demonstrations in north London in which speakers, pumping the air in gestures of defiance, denounced Britain's "racist" immigration system and predicted that justice would never be achieved.

In the end the portents of trouble proved unfounded. The anger was defused, partly by the moderate stances of public figures such as Bernie Grant MP, and partly by speedy action on the part of the Commissioner of the Metropolitan Police, Paul Condon. Within two days of Mrs Gardner's

death he had suspended Scotland Yard's specialist unit to which the three accused belonged. The unit's future is still under consideration.

After those first heady days, the case slipped into a prolonged period of official delay and bureaucratic obfuscation. To the dismay of Mrs Gardner's local MP, Barbara Roche, the Government refused to launch a public inquiry into the incident, preferring to process the investigation through the normal channels of the Police Complaints Authority.

It took seven months for the PCA to send its 1,800-page report to the Crown Prosecution Service, leading to yesterday's charges. The delays were caused largely by differences of opinion between pathologists who conducted seven separate post mortem examinations.

Despite the decision to prosecute, the refusal to stage a full public inquiry into the case continues to smart. "Until we look at all the circumstances leading to her death in the context of deportation policy generally, we cannot be sure of preventing other such tragedies," Ms Roche said.

In the wake of the Gardner case the Home Office has banned the use of gags on deportees resisting arrest, while restrictions have also been imposed on use of restraining equipment such as belts and handcuffs. But groups working with immigrants and asylum-seekers fear the new regulations do not go far enough.

An unexpected result of the disbandment of Scotland Yard's specialist immigration unit has been the increased use in deportations of private security firms which are not bound by the stringent controls imposed on police. That has prompted accusations that the new regime is even less regulated than the one it has replaced.

# Woman falls to her death as police question sister

Madeleine Bunting

A WOMAN fell to her death from a 12th floor balcony after police called at the block of flats where she lived early yesterday.

Two officers were accompanying a bailiff, who was trying to serve a summons on a man at the flats in Islington, north London. They were told of Wezi Slizba's fall by her sister.

Scotland Yard has asked the Police Complaints Authority to supervise an inquiry under Philip Thomas, West Midlands assistant chief constable.

It has been suggested that the woman was overstaying her visa or was an illegal immigrant, and had hung a rope from a balcony to the floor below as an escape route in the event of a police raid. Ms Slizba's arm was broken and in plaster, and neighbours believe she may have fallen while trying to climb down the rope.

The bailiff from Shoreditch county court was to serve a summons on a man who had failed to appear before the court on a civil matter. He and the police officers were let into the flat by a woman and found three Nigerian men inside. They told the officers that the man they were looking for was in America. When the police asked the woman for some proof of identity, she left the room. "She returned minutes later shouting that her sister had fallen from the 12th floor balcony," said a Scotland Yard spokesman.

The other occupants of the flat were questioned by police.

CAROLAN

28-4-94

Legislative compromises 'undermining show of resolve' ● Labour targets rural drug abuse

# Howard admits law reforms unpopular

**Stephen Bates**  
Political Correspondent

**M**ICHAEL Howard, the Home Secretary, yesterday conceded that the Government was having difficulties winning public support for its law and order package as the Conservatives tried to wrest the initiative from the opposition parties in the run-up to next week's local elections.

He acknowledged that perceptions of the Government's determination had been harmed by the compromises he has been forced to make in criminal justice legislation.

Mr Howard told a press conference: "Opinion polls tend to give a Labour lead on most issues and no one is pretending that the Government is at a high point of popularity. When you are in the process of taking legislation through Parliament and the process incurs a certain amount of compromise, that gives people a misleading impression of what is happening."

Mr Howard's remarks came as the Conservatives said that Labour and Liberal Democrat local authorities were claiming credit for anti-crime initiatives funded by the Government — in contrast to Conservative councils which appeared to be taking their own initiatives.

Earlier Tony Blair, Labour's home affairs spokesman, had pointed to a mounting problem with drug abuse, with statistics showing drug seizures increasing in rural areas as well as cities, while government funding of education projects was in decline.

Mr Howard indicated increasing success in making seizures, but added: "I would not pretend we have won or are winning this war. We have seen an increase in using drugs in many western countries."

*Patrick Wintour adds:* The Conservative Party deputy chairman, Gerry Malone, last night defended party members standing in Newham, east London on a ticket of "Conservatives against Labour's unfair ethnic policies", saying the candidates were "explicitly not racist".

Complaints over some of the candidates' leaflets headed "Ethnic Cleansing in Newham" were sent to the Conservative Party chairman, Sir Norman Folwer, for comment by the Labour MP, Nigel Spearing, and local anti-racist community groups.

Five official Conservatives are standing under the title in two wards — Beckton and Custom House and Silvertown ward — which the British National Party are also contesting and where racial tension,

largely over housing policy, is already high.

The Tory leaflets claim they have proved that the Labour-controlled council will discriminate in favour of some ethnic groups at the expense of others when allocating housing in South Newham.

Mr Malone said yesterday that the headline about ethnic cleansing had been in poor taste, but denied that the leaflets themselves pandered to racism.

But a spokesman for the Newham Monitoring project said: "It is clear that the Conservatives locally are running a dangerous, insidious campaign to win votes exclusively on the race issue."

A poll for Carlton TV's London Tonight programme shows Labour close to regaining control of nearby Tower Hamlets. The poll, by Harris, gives Labour 54 per cent, the Lib-Dems 31 per cent, the Conservatives 8 per cent and the British National Party 7 per cent.

● The Broadcasting Complaints Commission is to investigate a complaint by Derbyshire county council that the Conservatives' first political broadcast of the campaign for next week's elections was unfair and inaccurate. The broadcast, on April 6, accused several authorities of mismanagement and misspending public money.

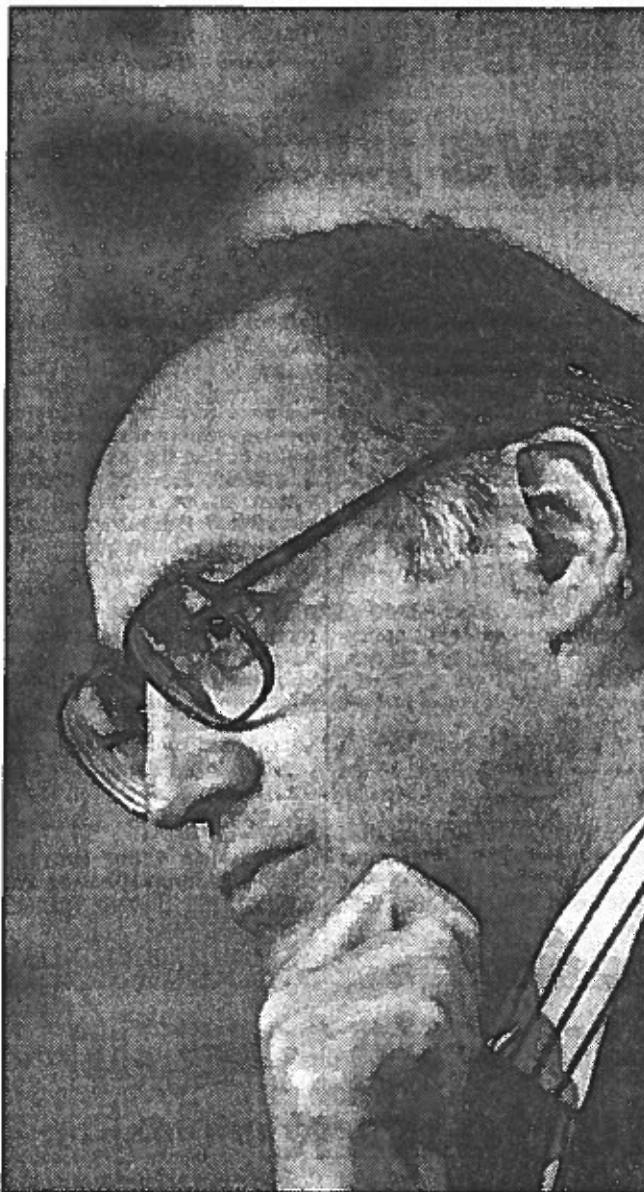


Image trouble . . . Michael Howard ponders on 'misleading impressions' yesterday  
PHOTOGRAPH: GRAHAM TURNER

GUARDIAN 29.4.94

Sacked officer wins appeal against tribunal decision

# Met chief reinstates 'lezzies' policeman

Duncan Campbell  
Crime Correspondent

**A** SENIOR Metropolitan police officer sacked for allegedly describing a group of women at a conference as "a bunch of lezzies" was yesterday reinstated by Commissioner Paul Condon following a successful appeal.

Chief Superintendent Nigel Spencer-Knott, aged 49, was required to resign immediately last December after a disciplinary tribunal of senior officers, including Commander George Churchill-Coleman, head of the fraud squad and former head of the anti-terrorist branch, had found against him.

It had been alleged that at a multi-agency conference on domestic violence at Hendon police training college in north London the previous March, Mr Spencer-Knott had referred to a group of women delegates as a "bunch of lezzies. There's not a normal one amongst them".

He was required to leave his

£40,000-a-year post at West Hendon station at once. It was the first time such a senior officer had been sacked for such an offence.

Mr Spencer-Knott appealed against the finding and his appeal was heard yesterday by Mr Condon who has asked the authority to overrule the original decision.

Mr Condon said yesterday: "I have, of course, considered the matter very carefully. Although the original disciplinary board acted honourably, I do not think they were entitled to find him guilty beyond reasonable doubt on the evidence."

The commissioner added that had it been satisfactorily proved that Mr Spencer-Knott had made the remarks he would have found them unacceptable.

Mr Condon has said that officers found guilty of discrimination should be sacked and has stated that he is happy for gay and lesbian officers to work openly in the Metropolitan police.

A spokeswoman for the Metropolitan police said it was now

being discussed where Mr Spencer-Knott would be posted.

Mr Spencer-Knott was alleged to have made his remarks to a young reporter, Camillor Fracassini, of the *Hendon Times*. He told conference officials, one of whom made a formal complaint.

Mr Spencer-Knott denied having made the remark. Some of his colleagues expressed surprise at the decision to sack him since such remarks were not uncommon in the police service.

After yesterday's decision, Allen Chubb, solicitor for Mr Spencer-Knott, said the officer accepted he had said something along the lines of "there is not a normal one amongst them" but said the remark had been taken completely out of context; he had been referring to examples given during one of the conference speeches of violence by men against women, not to the delegates.

Mr Chubb said: "Mr Spencer-Knott is much relieved and is looking forward to returning to work on Tuesday. It has been a very worrying time for him."

GUARDIAN

30-4-94

# Hackney stitch-up

## — six held

By Neil Cobbett

**SIX PEOPLE** were arrested at an open-air festival for the homeless, organised by Hackney council, in Clissold Park, Stoke Newington, north London, on 14 May. Three of them are still on remand in Pentonville prison.

The event had passed off quite peacefully until it was almost due to end. Then police with riot gear turned up and began to act in an intimidatory manner.

This was too much for some people there who began chucking things at them. As the police began to move into the crowd the missile throwers dispersed.

The cops, however, don't bother to distinguish between people in such a crowd, between those behaving in a less than completely lawful fashion, and the rest of the people who were, if a bit agitated, doing nothing wrong.

They waded into the crowd and began laying into people with their batons.

People who "got in the way" by having the temerity to go to the aid of the injured were roughed up and thrown into the back of police wagons. Others were randomly picked out of the crowd and grabbed. All in all, 30 people were arrested.

One person arrested had been talking to Hackney council officers as the police assault began. He went to tend one of the injured. Arrested, he was then "identified" as one of a group of "ringleaders".

The cops had come out from three stations, including Stoke Newington station and Old Street. There was then some disagreement as to which lucky station would get to process the "nicks" and hence boost its quota.

Stoke Newington police are notorious for corruption, perjury and a less than legalistic approach to the use of dangerous drugs.

Those arrested were charged with various offenses but the common charge was violent assault.

When the defendants went for their bail hearings the police opposed bail for all of them. Three were later given bail.

The defence lawyer was able to demonstrate not so much that there were holes in the police arguments as that they were in tatters. The police had claimed that they intervened at the end of the festival on the grounds that it was "an illegal gathering." In other words they were using clauses in the new Criminal Justice Bill ie legislation that has not yet been enacted!

But still the magistrate accepted the police side of the story.

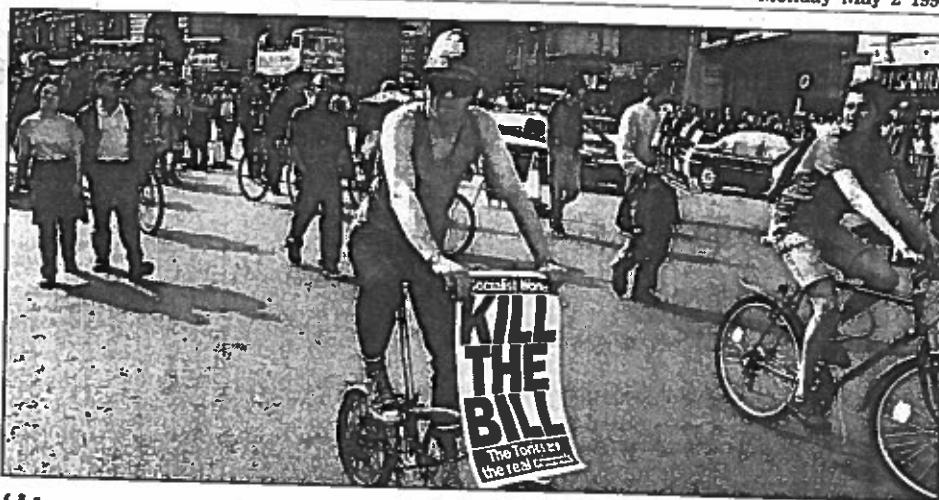
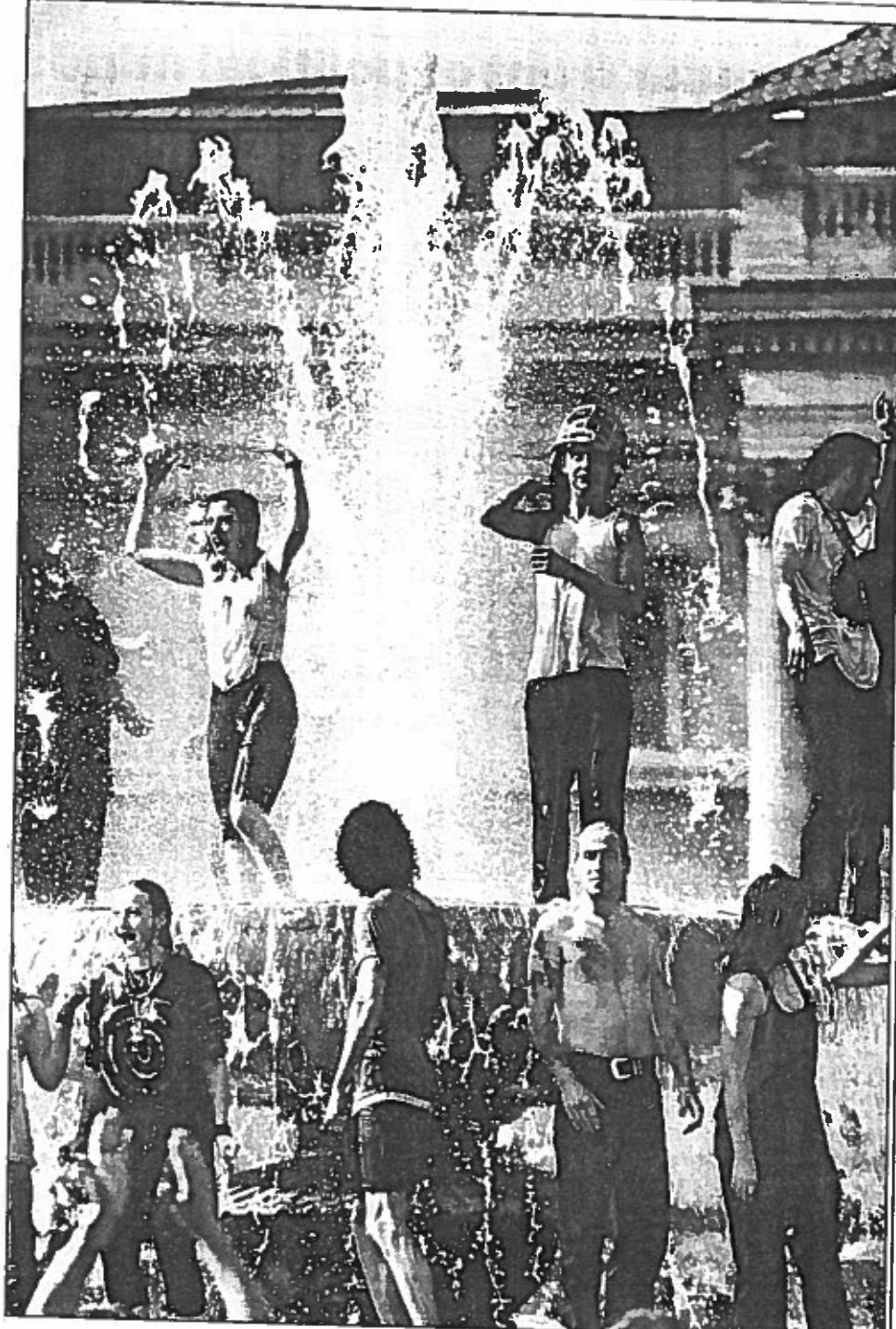
Three people are locked up in Pentonville prison, on remand for who knows how long before their cases come up.

### Appeal for witnesses

If you witnessed any of the arrests and can provide time/place/description you can help the accused by contacting:

HCDA, Colin Roach Centre,  
10a Bradbury Street,  
London N16.

MAY SOCIALIST ORGANISER



**'It was a May Day rally a few beats removed from the traditional . . .'**

**Report Duncan Campbell  
Photographs David Sillitoe**

**L**ONDON had its own tribal gathering yesterday. Ravers and New Age Travellers, squatters and hunt saboteurs converged on Trafalgar Square to protest against the Criminal Justice Bill which would, if implemented, make many of their activities illegal.

It was a May Day rally but the mood and the music were a few beats removed from the more traditional of such events. Bicycle-powered sound systems and rave party loudspeakers accompanied marchers on their way from Hyde Park, past tourists brunching in the inn on the Park, to a Trafalgar Square where the new South African flag atop the embassy showed that everything is possible.

Police estimated the turnout at 6,000, and organisers at 20,000.

While some marchers frolicked or juggled with flames in the fountains, speakers from the Advance Party, the coalition of 50-odd rave party organisers which put the rally together, received rapturous applause. The message was that clauses in the



bill which would make certain open-air gatherings of 100 or more people illegal could make criminals of many of those in the square.

The shirt-sleeved tribe of the Metropolitan Police were in relaxed mode. A Scotland Yard spokeswoman reported no arrests by the time it was concluding to the sounds of Spiral Tribe playing what Section 47 of the bill would classify as "sounds wholly or predominantly characterised by the emission of a succession of repetitive beats".



Right to silence issue raised as appeal court quashes conviction of man who served 8 years for boy's murder

# Confession doubts lead to freedom

Duncan Campbell  
Crime Correspondent

**A** YOUNG man convicted of the murder of a schoolboy eight years ago was freed yesterday after the Court of Appeal expressed anxieties about the way the police had obtained his alleged confession.

It is the latest in a series of cases in which a person of limited intelligence has made a confession which he has later retracted.

The Court of Appeal ruled yesterday that the conviction of Mark Cleary, aged 27, at Nottingham crown court for the murder of 10-year-old Wayne Keeton in February 1986 was unsafe and unsatisfactory.

Lord Justice McCowan said that the court had a "very real anxiety" about the case because of a misdirection by the judge to the jury, evidence in the appellant's favour that was not called at the time of the trial, and the conduct of the police.

Outside the court, Mr Cleary, of Bestwood, Nottingham, said: "If I had had to do all the 20 years the trial judge recommended, I would still have been protesting my innocence."

He paid tribute to the Channel 4 programme, Trial and Error, which reinvestigated his case last year.

He said that he had had a

hard time in prison because of the nature of his conviction, "but that's life, isn't it?"

David Jessel, of Trial and Error, said: "It's not television that frees people but the courts. All we can do is get people to the courts. We are very proud to see justice done." He said the case raised the issue of the right to silence, as it demonstrated what could happen to a vulnerable person when pressured to make a confession.

Ron Birkett, solicitor for Mr Cleary, said he would now be taking instructions on possible compensation for his client.

Wayne Keeton was found drowned not far from his home in the Nottingham suburbs four days after he disappeared April 3, 1985. He had suffered a serious spleen injury and partial strangulation.

A young man called Philip Atherton was arrested and confessed to the murder. He was subsequently convicted and sentenced to life.

A few weeks after his confession, he made a further statement to police implicating Mark Cleary, and alleging that he was responsible for the kick to the spleen which would have resulted in the boy's death even if he had not been drowned.

Mr Cleary was interviewed by the police but the two-hour interview was summed up in police notes at the time in two lines, stating that he denied any

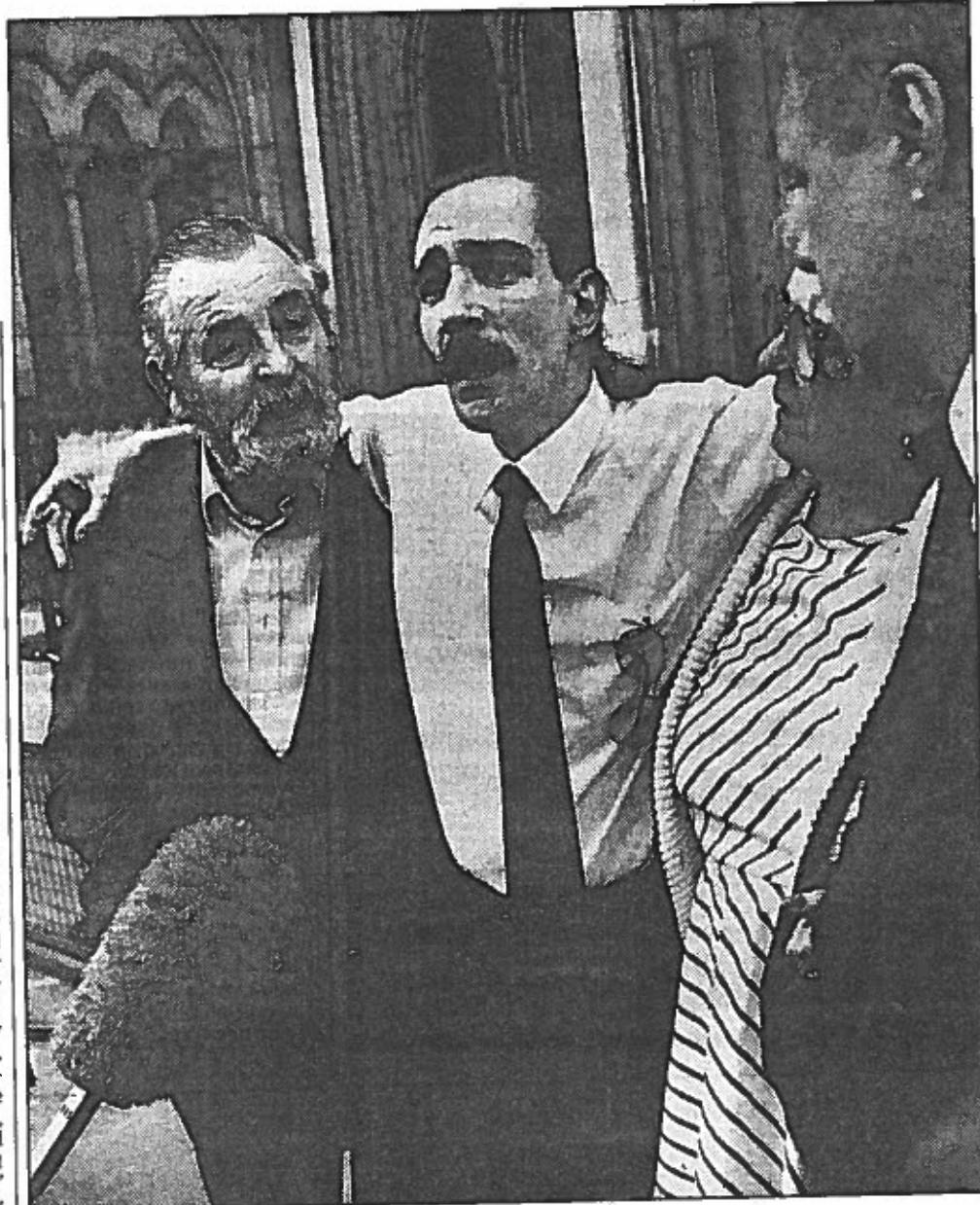
involvement. "During the whole of that period, the police took no contemporaneous notes, despite force instructions," said Lord Justice McCowan yesterday, delivering judgment with Mr Justice Molland and Mr Justice Buckley.

The police had reinterviewed Mr Cleary and again put Mr Atherton's allegations to him. Eventually Mr Cleary made a confession, which he told his lawyer shortly afterwards was a fabrication.

The appeal court expressed serious doubts about the confession, saying that Mr Cleary was not of high intelligence, having a verbal IQ of 72, and there was "not a shred of evidence against him other than his own confession."

Mr Cleary told police he had an alibi in the form of his parents, Bill and Chris Cleary, and a friend, Michael Ryan. But Mr Ryan surprised the defence at the 1986 trial when he said that he could not remember whether he had been with Mr Cleary and thought he had not.

The direction to the jury by the trial judge, Mr Justice Pain, that they might consider a person who gave a false alibi to be unreliable on other matters, was a misdirection, said Lord Justice McCowan. An innocent person might "gild the lily" with a false alibi and the jury should have been made aware of this.



Free man . . . Mark Cleary with his parents Bill and Chris after the hearing. PHOTOGRAPH FRANK MARTIN

# Police slated for sex harassment

Duncan Campbell  
Crime Correspondent

**W**IDESPREAD sexual harassment within Cleveland police was yesterday highlighted by Her Majesty's Inspector of Constabulary, with some incidents involving senior officers.

The inspector's report, an annual performance assessment, notes that the force's own survey also found a high level of such harassment.

"There was a serious problem which requires urgent attention," says the report, supervised by Colin Smith, Inspector of Constabulary and former Chief Constable of Thames Valley.

"Incidents of sexual harassment were reported as widespread, involving uninvited derogatory and degrading jokes and other forms of unacceptable behaviour. It is particularly worrying that a substantial proportion of the alleged incidents involved supervisors."

The survey of all female officers and special constables and a corresponding number of male officers with a random selection of civilian staff had a take-up rate of around 50 per cent. The force has 1,416 officers.

None of the complaints made

by officers under the grievance procedure was recorded as sexual harassment. This suggested staff did not have confidence in the procedure, Mr Smith said.

He recommended action against the culprits and that such action should be visible to all concerned. There should also be an effort to change male attitudes.

Other criticisms concerned the high level of sickness, which is seen as a barometer of force morale. The equivalent of 15.3 days an officer was lost a year, compared with the national police average of 13.2 days. Of days lost, only 5 per cent were connected to injury to officers. Female officers took 18.5 days sick leave a year.

Complaints against the police showed an "unwelcome" increase. But the report commended Cleveland on the 8.9 per cent fall in recorded crime.

Bill Robertson, deputy chief constable of Cleveland, said yesterday that measures to deal with sexual harassment were under way before the inspector's visit. "Any organisation that has the courage to carry out such a survey will probably get results it would rather not hear. We are not proud of the results but steps have already been taken to address the problem."

*Report available from the Home Office, 50 Queen Anne's Gate, London SW1H 9AT.*

GUARDIAN

5-5-94

# Police urged to help worst crime victims

Alan Travis  
Home Affairs Editor

**T**HE police were urged yesterday to concentrate their crime prevention resources on the 4 per cent of victims who suffer 44 per cent of all reported crime.

A report by the National Board for Crime Prevention suggested that if the police concentrated on this group, it could ultimately have an impact on overall crime levels and improve detection rates.

The report, *Wise After the Event*, which is the product of five years of research, says the most vulnerable in society are most likely to be repeatedly victimised. High-crime estates do not necessarily contain more victims of crime than other areas but a similar number who are burgled or attacked much more often.

These "repeat victims" of crime who suffer from more than four incidents a year are most often on the receiving end of burglaries, car thefts, racial attacks and domestic violence, according to the new Home Office research.

"Recent work has found that during the 1980s the large increases in crime were due mainly to victims being victimised more often, rather than to more non-victims becoming victims," says the report. Its find-

ings appear to dispel some of the basis of the rapid rise in the fear of crime reported in opinion polls in the past two years.

The report says the recording practices of the police often fail to identify the repeat victims of crime and treat each burglary or attack as a separate incident but it notes: "Whilst it is commonly recognised that crimes like racial attacks and domestic violence are often repeated attacks, the repetition of other types of offence may be less obvious. Analysis of burglary, car crime assaults, fraud and criminal damage have all found patterns of repeat incidents."

The "repeat crimes" tend to follow fairly rapidly after the first offence with half the second burglaries occurring within seven days; a third of domestic violence incidents happening within five weeks and half of the second burglaries of commercial premises happening within six weeks.

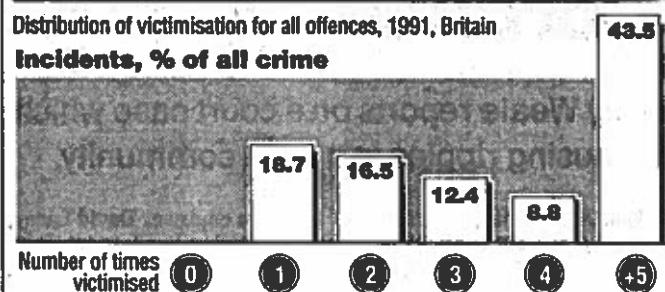
The research says this "heightened risk" of a victim suffering an offence again can be reduced by putting crime prevention measures in place within 24 hours and the police, for example, lending portable intruder alarms to burglary victims.

*Wise After the Event; National Board for Crime Prevention, Room 448, Home Office, 50 Queen Anne's Gate, London, SW1 2AT; free.*

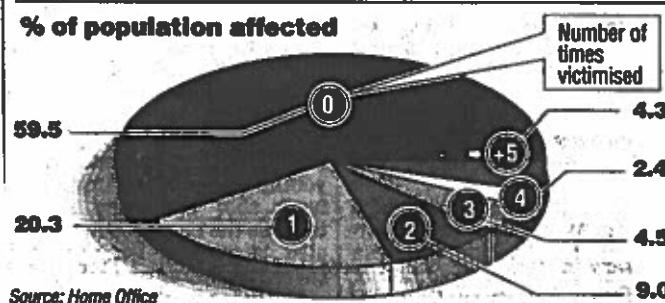
## Victims of crime

Distribution of victimisation for all offences, 1991, Britain

Incidents, % of all crime



## % of population affected



# Residents join the fight against crime

**CRIMEBUSTING** Hackney residents are hoping to catch crooks with the aid of a pioneering phone network linked to the police.

However, the Hackney Crime Prevention Panel still needs to raise another £4,000 towards the cost of the £5,000 system.

The computer system will be based at Hackney police station in Lower Clapton Road and can be used by police to send messages to residents in an

area where a crime has been committed.

As soon as the police are alerted, they can record a suspect description into the computer and send it, for example, to everyone in the E8, E9 and E5 postcode areas.

Five hundred households have already agreed to be put on the list. Residents hope the system will enable them to be the eyes and ears of police.

The scheme has been a great success in areas of Sussex, where it has drastically cut crime rates.

Iain Turpie, secretary of the Hackney Crime Prevention Panel, said: "We would train people to use the system and maintain the network, while the police would provide an operator and run the service."

"It will take two minutes for the police to type in the information, but hopefully it will mean we can help them catch more criminals."

Anyone interested in the scheme can contact Mr Turpie on 081-985 6243.

## POLICE INJURED IN PUNCH-UP

FOUR policemen were badly hurt after they were called to a brawl in Seven Sisters Road in the early hours of last Sunday morning.

Stoke Newington Pcs Paul Franklin and Paul Robinson were taken to Homerton Hospital suffering from a broken nose and broken ribs

respectively. Two other PCs received head and throat injuries.

A man was cautioned for being drunk and disorderly and another for obstructing police. Two men appeared at Highbury magistrates' court on Monday charged in connection with the incident.

HACKNEY GAZETTE 6-5-94



Malcolm Kennedy at the Old Bailey yesterday where he was found guilty of manslaughter. The officers involved: top left and right, PCs Giles and Henery; above right, PC Welsh and his wife



'What is supposed to have happened to this quiet, unexceptional man sitting quietly in his cell is that suddenly, like Superman or Jekyll and Hyde, he transformed into a psychopathic maniac'

## Man jailed for cell killing after third trial

Jury disbelieves claim by restaurateur that police officer stamped and beat to death man who suffered a crushed larynx and 33 fractures of the ribs, writes Duncan Campbell

### The case

**A** NORTH London restaurateur was jailed at the Old Bailey yesterday for nine years for killing a stranger in a police cell more than four years ago. The case, which was resolved only after three trials and an appeal, had caused controversy because the defendant claimed that a police officer had beaten and stamped Mr Quinn to death.

After 12 hours' deliberation, the jury cleared Malcolm Ken-

nedy, aged 46, of murdering Patrick Quinn, aged 56, an Irish labourer, in a Hammersmith, west London, police cell on Christmas Eve 1990, but found him guilty of manslaughter on the grounds that he had not intended to harm Mr Quinn, who suffered 33 rib fractures and a crushed larynx.

Mr Kennedy was jailed for life in 1991 for murder but after fresh evidence emerged a new trial was ordered last year. The second trial was abandoned after the police produced new evidence in court.

Sentencing him, Mr Justice Swinton Thomas said Mr Kennedy had shown no remorse for the attack but had sought to blacken the character of innocent police officers.

"They have been accused of being murderers, perjurers and conspirators to pervert the course of justice," said the judge. "Those people have been entirely vindicated. The verdict means that they have found you and not any police officer responsible for Mr Quinn's death."

The judge said that police

constables Paul Giles and Emlyn Welsh had been unfairly singled out and accused of grave actions. They may have made human errors, but they had been badly damaged by the accusations made against them.

Mr Kennedy's solicitor, Tim Cooke, said: "Malcolm Kennedy continues to deny any involvement in the death. Further lines of inquiry are still being pursued. There will be a further complaint concerning the role of the Police Complaints Authority, and there will be an immediate appeal."

A Scotland Yard spokesman said the police could not comment on the case as the Crown Prosecution Service was still examining police behaviour during it.

The case started on December 23, 1990, when Patrick Quinn, an unemployed Donegal-born labourer, was taken into Hammersmith police station as drunk and incapable. By the end of the night, he was dead. Malcolm Kennedy had been arrested that same night after an altercation at his

aunt's home in Hammersmith, and was placed in the same cell as Mr Quinn.

What happened in the brief time the men spent together in the cell was the crux of the case: the police claimed they found Mr Kennedy covered in Mr Quinn's blood, the cell had been locked and therefore no one else could have carried out the killing; Mr Kennedy claimed that, through a drunken haze, he remembered an officer coming in and assaulting Mr Quinn and when he intervened, punching him on the head.

At his first trial two years ago, the jury did not find Mr Kennedy's explanation convincing. He was convicted and jailed for life. New evidence emerged, through the documentary programme *World in Action*, that pointed to discrepancies in the police records for the night, missing notebooks, and to violent pasts of at least two of the key officers in the case.

Presented with the new evidence in February 1993, the Court of Appeal quashed Mr

Kennedy's conviction and ordered his retrial. His barrister, Michael Mansfield QC, told the new jury: "Fresh material suggests police officers have lied in this case about where they were on this night."

The most remarkable witness at the last, aborted trial, was PC Giles, who had put Mr Quinn in his cell and had seen the body later. During cross examination, PC Giles took constant sips of water, drinking 12 litres one afternoon. It transpired when medical evidence was given about his condition that he believed the water gave him magical properties and enabled him to win "mind control games" against Mr Mansfield. It also became clear that he had a record for violence, particularly towards women.

Half way through the trial, a police log which had been lost and of which the defence was unaware was found by the police. The contents had not been disclosed to the defence before the trial and a second retrial was ordered.

When the third trial got

under way this February, PC Giles was not available to give evidence. He had been found wandering with winos in central London and was arrested for impersonating a police officer when he produced his warrant card. A police psychiatrist testified that he could not give reliable evidence as he was on powerful tranquilizers. It also emerged that he suffered from paranoia — he believed IRA agents were out to get him — and from hypermania. He had attacked a woman doctor by the throat and had severe personality problems. The defence called their own medical expert to suggest that PC Giles was capable of giving evidence, but he was not called.

Another former officer, Edward Henery, who had been a sergeant on duty on the night of the death, and now a student in Wales, had been unwilling to give evidence when he discovered that Mr Mansfield intended to question him about the fact that he had left the force with 17 disciplinary charges awaiting him.

## Drunken row at Christmas led to murder charge

### Profile

**H**E IS NOT a Rambo character to look at. He is quite small and slight," Michael Mansfield told the jury of his client. "What is supposed to have happened to this quiet, unexceptional man sitting quietly in his cell is that suddenly, like Superman or Jekyll and Hyde, he transformed into a psychopathic maniac."

Malcolm Kennedy, the man whom the jury eventually decided was more Hyde than Jekyll, was born in 1948 in Somerset, where his family had been evacuated during

the war, writes Duncan Campbell. One of three brothers, he grew up in Devon, where his father worked as a chef. The family moved later to south-east London.

After leaving school, he worked for building companies and as a salesman, before becoming a building surveyor.

He saved up enough to take on a restaurant, the Newton Brasserie in Stoke Newington, north-east London, in the late 1980s, which did a healthy trade but was never a big money-spinner.

On the night of the death of Patrick Quinn, Mr Kennedy had visited his aunt to plan a family Christmas. Mr Kennedy, as a restaurateur, was ex-

pected to provide the turkey. He drank five gin and tonics in a pub before going to his aunt's house where the pair, together with a cousin, drank a litre of gin and a bottle of wine. He had had only a sandwich to eat all day and was very much the worse for drink, as he accepted himself, being argumentative and abusive.

"I didn't think I could make it home," he said. He wanted to spend the night on the couch but his aunt was unhappy about this and there was an argument. The police were called and Mr Kennedy was taken to a cell.

The following morning, Mr Quinn was found dead and

Mr Kennedy was charged with his murder. He recalled officers telling him repeatedly that he had killed Mr Quinn.

Of his conviction and life sentence for murder at the first trial, he said: "It is the most horrible feeling to be convicted of murder. The biggest shock was to hear yourself referred to as a 'lifer' by the prison officers."

He understood that his tariff was 14 years and he expected to do 20. "I would be coming out as an old age pensioner. I have lost everything — the restaurant, my flat, everything."

In prison, he had started studying for an Open University degree in social sciences

and met up with members of the Cardiff Three, since released, and two Sri Lankan Tamils, Prem Sivalingham and Sam Kulasingham, whose appeal against conviction for murder in an East London fire bombing is to be heard in 10 days.

As a lifer, he had better conditions than some prisoners and his own cell. He worked in the aluminium cuttings workshop.

Had it ever crossed his mind that he had suffered a black-out and killed Mr Quinn without being aware of it?

"No, I never believed that I could have killed him," said Mr Kennedy before his conviction.

□ Christmas Eve 1990: Patrick Quinn is kicked to death. Kennedy charged with murder.

□ September 1991: Kennedy jailed for life.

□ February 1992: Thames Valley police begin independent inquiry.

□ April 1992: A World in Action television programme casts doubt on Kennedy's conviction.

□ May 1992: Kennedy lodges appeal against conviction.

□ February 1993: The Court of Appeal orders a retrial.

□ June 1993: Kennedy released on bail.

□ September 1993: retrial halted when new evidence comes to light.

□ February 1994: second retrial begins.

### The events

# Man jailed for cell killing after third trial

**James Cusick on the conviction of a businessman for manslaughter after claims of a police cover-up were rejected**



MALCOLM KENNEDY was jailed for nine years yesterday after being found guilty of the manslaughter of Patrick Quinn in a police cell. It was the third time Kennedy had faced a jury over the killing in Hammersmith Police station in west London in 1990. In 1991 he was found guilty of murder but the Court of Appeal ordered a retrial last year and quashed the 1991 conviction.

A jury at the Old Bailey took nearly 12 hours unanimously to deliver its verdict yesterday. Mr Quinn, a lodger, had been drunk and taken to Hammersmith police station on Christmas Eve 1990. Although the case has now gone through a first trial, a Court of Appeal hearing, an abandoned retrial last year, and a further 11-week trial, Kennedy's solicitor, Tim Cooke, said yesterday that an immediate appeal would be lodged. Mr Cooke said that "lines of inquiry were being pursued that weren't able to be brought up at the trial".

The appeal will again focus on claims by Kennedy's lawyers that they were unable to cross-examine a key witness whom they regarded as a "suspect" in the killing of Mr Quinn.

Kennedy, a former restaurateur,

shook his head slowly when the jury delivered its guilty verdict on the charge of manslaughter after finding him not guilty of murder.

Passing sentence, Mr Justice Swinton Thomas said that Ken-

nedy, 47, had chosen to say that "others were responsible". Dominating Kennedy's defence had been his claim that a police officer had entered the "rank" cell in Hammersmith and inflicted the horrific injuries on Mr Quinn.

In conducting his defence, Kennedy had chosen to try to blacken the characters "of a number of quite innocent people", including police officers. They have been accused of being murderers, perverts and conspirators to pervert the course of justice. "Those people have been entirely

## Police officers whose characters had been blackened have been totally vindicated'

"Quite innocent people who had their characters 'blackened' had been 'totally vindicated' by the jury's decision," he said. He mentioned in particular Constables Emlyn Welsh and Paul Giles, "who had been accused of very grave misbehaviour". The judge added: "They are ordinary human beings who may be liable and may have made some mistakes but I have no doubt this sort of campaign must inevitably have had a very bad effect on them." The effect on some of them, he said, was "very plain to see".

Yesterday Scotland Yard refused

to make any comment.

Now, after two retrials, he has been found guilty of manslaughter. His conviction will bring relief to police officers worried about growing image problems. Kennedy's claim from day one was that he saw a police officer kill Mr Quinn in the tank.

However,

problem still remains over why the conduct of the police in gathering and keeping records for the night was so confused. Accepted inconsistencies in the evidence regarding the police's own account still remain.

Although PC Giles loomed large in the defence case, Kennedy, on the morning of the murder, "described" the officer who came into the tank as "clean-shaven, a sergeant". PC Giles had a large dark moustache.

Kennedy's allegations that he was framed by the police, who then conducted a massive cover-up — which succeeded — have involved a large number of police officers on duty the night Mr Quinn was killed — meant the lengthy trial often saw a parade of officers in the witness box. Their backgrounds and personalities were dissected by Kennedy's counsel, Michael Mansfield QC.

The judge said in "this very exceptional case" he felt he should say something about the way the police officers were attacked and their characters assaulted — "and over whom a very serious shadow has been cast".

Quite innocent people who had their characters "blackened" had been "totally vindicated" by the jury's decision. He mentioned in particular Constables Emlyn Welsh and Paul Giles, "who had been accused of very grave misbehaviour". The judge added: "They are ordinary human beings who may be liable and may have made some mistakes but I have no doubt this sort of campaign must inevitably have had a very bad effect on them." The effect on some of them, he said, was "very plain to see".

Yesterday Scotland Yard refused

to make any comment.

Thames Valley Police, on behalf

of the Police Complaints Authority, conducted an investigation into the case in 1992. The Crown Prosecution Service is to decide if any officers will be prosecuted.

# Confusion over police records of fatal night

ON CHRISTMAS EVE 1990, an Irish labourer lay dead on the floor of a cell in Hammersmith police station in London. Patrick Quinn, 56, from Donegal, had been kicked, punched and jumped on in a "explosive" attack lasting up to two minutes.

His bloody face was unrecognisable, his jaw and nose broken, his larynx crushed. All his ribs except one were broken, caused by someone jumping on his chest with two feet. His heart was crushed. Other injuries suggested had tried to defend himself. The time of his murder was estimated at between 1.40am and 1.50am.

Arrested drunk at 11.03pm on 23 December in Little Brook Green, Hammersmith, Mr Quinn had been taken to the local police station and put in cell five, known as the tank. That was at 11.15pm. Almost two hours later another drunken man, Malcolm Kennedy, a former restaurant owner with business problems, was put into the same cell.

PC Paul Giles, a probationary officer from Northern Ireland, dominated the defence case. It often seemed as though PC Giles was on trial. Sergeants on duty and other officers, were also criticised. PC Giles arrested Mr Quinn and took him to the tank. This was the last time, PC Giles said, that he saw Mr Quinn.

From 1.05am to 2am PC Giles claimed he was in the CAD (computer aided dispatch) room although no officer was able to confirm this. Such inconsistencies fuelled the defence's

claim that there was a cover-up. An officer was posted outside the tank to log everyone who came in and out. The log disappeared. His statement was supposed to be based on the missing log. PC Giles is test on another document revealed the log and PC Giles is

mentioned.

PC Giles was not called as a witness, having been diagnosed mentally ill by a police psychiatrist. That diagnosis was challenged by the defence.

What Kennedy was saying was not lost on the prosecution. Timothy Langdale QC said: "This cover-up would have involved every single police officer on duty in Hammersmith that night."



PC Giles: leading role  
Photograph: Enterprise



Photograph: Edward Sykes

# Retrial clears police of killing man in cell

A RESTAURATEUR who drunkenly kicked a fellow prisoner to death in a police cell and then claimed officers did it and framed him was jailed for nine years yesterday at the end of an Old Bailey retrial.

Malcolm Kennedy, 46, was cleared of murder but convicted of manslaughter at the end of a three-year battle costing up to £3 million.

It was his second conviction for the killing. In 1991 he was jailed for life after being found guilty of murder, though the Court of Appeal ordered a retrial.

Mr Justice Swinton Thomas said the jury had vindicated police officers who had been accused of murder and perjury.

Patrick Quinn, 56, an Irish labourer was kicked and stamped to death in Hammersmith police station in west London in the early hours of Christmas Eve 1990. He had 33 rib fractures, damage to internal organs and severe head and neck injuries.

Kennedy was being held for being drunk and disorderly after trying to assault an elderly aunt in west London.

The judge said Kennedy mounted a campaign after his first conviction in which he chose "to attack and blacken the characters of a number of innocent people", including police officers.

"People over the last few weeks... have been accused of being murderers, perjurers and conspirators to pervert the course of justice. Those people, by the jury's

By John Steele  
Courts Correspondent

verdict, have been entirely vindicated.

"I have no doubt at all you must have known from the outset that it was you and you only who was responsible," he said.

The trial, which ended yesterday after eleven weeks, was the longest murder trial of a single-defendant at the Old Bailey.

The Crown, led by Mr Timothy Langdale QC, said Kennedy and the victim had been in the same cell. Mr Quinn's clothing bore footprints in blood which matched Kennedy's shoes and Kennedy's clothing was also contaminated with blood.

Mr Michael Mansfield QC, for Kennedy, could not point conclusively to any one officer as being the killer but alleged that "things had got out of hand" and Mr Quinn had died in an assault by

police, who staged a cover-up. It was said Kennedy's shoes were taken from him and used to make the marks on Mr Quinn's clothing.

It was also alleged key officers had a propensity for violence which Kennedy never demonstrated, and that missing, or altered, police documents meant police evidence could not be trusted.

Although the prosecution conceded there were problems at the police station, Mr Langdale "utterly rejected" allegations of a cover-up.

On Friday last week Mr Justice Swinton Thomas invited the jury to return a verdict of manslaughter if they decided Kennedy, who admitted he was a "shirty" drunk, had killed Mr Quinn but had been so drunk he could not form the necessary intent for murder.

The verdict closed, for now, a case involving two full and one aborted trials, an Appeal Court hearing and an investigation by the Police Complaints Authority. Defence lawyers are considering another appeal.

Kennedy, a restaurateur in Stoke Newington, north London, in 1990, was convicted of murdering Mr Quinn, of Batoum Gardens, Hammersmith, in September 1991. A retrial was ordered in January last year because fresh evidence apparently questioned police timings.

A re-trial did begin in September last year but was halted after the emergence of further evidence which appeared to support the original police timings.



Kennedy: 'shirty' drunk

DAILY TELEGRAPH

7-5-94

# PARK TRASHED AT HIPPY BASH

A FAMILY park was turned into a rubbish tip by 25,000 revellers at a festival for the homeless. Broken glass, beer cans and cigarette butts were strewn across leafy Clissold Park. And hippies torched the grass by lighting bonfires to cook on. At the end three people were hurt when 150 cider-fuelled thugs hurled bricks and bottles at them. There were 27 arrests.

Labour-run Hackney Council waived an £8,000 fee for use of the park in North East London.

Organisers promised

to clear up the mess. But one local stormed:

"These people don't deserve homes if this is how they treat a public park."

The council admitted: "We were unhappy with the organisation."

By PASCOE WATSON

SUN 10-5-94

## Court clears way for 'driven out' trainee to sue police

Duncan Campbell  
Crime Correspondent

A FORMER police probationer who claims he was driven out of the force after he stopped a prisoner being assaulted succeeded yesterday in the Court of Appeal against the Chief Constable of the West Midlands. He now intends to sue for damages.

James Carroll, aged 36, left the force in July 1992, after a complaint about his language to a member of the public. Two months earlier he had intervened over another officer who, he said, had assaulted a prisoner. After this, he said, his job became impossible.

In May last year the High Court accepted that the wrong technical procedures had been followed. Yesterday his appeal against the court's decision to uphold the action of the Chief Constable was granted by three judges.

His lawyer, Ivan Walker, said that Mr Carroll, who has been served with an eviction order to leave his police accommodation, could now sue. A probationer cannot be reinstated. "If the force refuses to settle the damages claim, then the substance of the allegation will come out in the trial."

Superintendent David Claydon said: "We will need to study the judgment very carefully but we have already reviewed our procedures."

GUARDIAN 11-5-94

## Two to be prosecuted in Stefan Kiszko case

Sarah Boseley

A SENIOR police officer and a forensic scientist who worked on the case against Stefan Kiszko, who was freed in 1992 after 16 years in jail for a murder he did not commit, have been charged with perverting the course of justice.

Detective Superintendent Richard Holland, who retired from West Yorkshire police in 1983, and Ronald Outeridge, also retired, will appear at Rochdale magistrates court on July 5. They were involved in the investigation into the killing in 1975 of 11-year-old Lesley Molseed.

A spokeswoman for the Crown Prosecution Service said yesterday the two men were charged with "acts intending and tending to pervert the

course of justice". They were not charged with conspiracy.

The CPS decision came a day after the funeral of Charlotte Kiszko, a post-war immigrant from Slovenia who worked for 16 years to secure the release of her only son. She outlived Stefan by less than five months. He died at their home in Rochdale of natural causes, thought to be a heart attack, two days before Christmas and two years after his release.

Campbell Malone, the family's solicitor, called it "sadly ironic" that they should have died without knowing the results of the inquiry.

An inquiry by West Yorkshire police found that forensic evidence was available at the time of Mr Kiszko's trial that would have cleared him. Mr Kiszko, whose mental health had deteriorated in prison, was

bailed pending an appeal and cleared in February 1992.

Sperm found on Lesley Molseed's clothing was found to have come from what was termed an infertile man, but was, in fact, a man with a very low sperm count. Mr Kiszko was unable to produce sperm.

After the Appeal Court ruling, West Yorkshire police asked Chief Superintendent Kenneth Mackay of Lancashire police to investigate the circumstances of Mr Kiszko's arrest, charge and conviction. It is on his dossier, submitted last June, that the CPS has made its decision.

Mr Holland was in charge of the Molseed case when Mr Kiszko was arrested. He later worked on the Yorkshire Ripper investigation. After his retirement he became a security consultant.

GUARDIAN

12-5-94

# As drunken louts run riot after homeless festival in Clissold Park, residents say:

RESIDENTS near Clissold Park have said "never again" to a homeless festival that left the site covered in garbage and ended in violence as drunken louts fought running street battles with police.

It also bankrupted the organisers, who now also face prosecution by Hackney Council over too-loud music, as well as a massive bill for the clear-up after Sunday's event which was attended by 20,000 people.

The council, who had waived the £8,000 park hire fee, says it is "looking again" at its policy on park festivals.

Officers in riot gear from all over London, including members of the Territorial Support Group, were called in to quell the disorder, which started in Green Lanes around 11pm.

About 14 officers were hurt – three needed hospital treatment and were among four still off work this week – as a boozed-up mob of about 150 went on the rampage.

Four rioters were hurt and 31 arrested for offences including possession of drugs and offensive weapons, and assault on police.

Pensioner Robert Graham said he and wife were "terrified" as they heard the violence from their flat in nearby Cathedral Road.

He was one of several complaining

# Never again!

that the festival was a "magnet for troublemakers" and should be banned.

One Green Lanes resident, who refused to be named, slammed festival-goers for "turning the park into a toilet". He said: "They go on about the environment, but leave everywhere a rubbish tip."

Festival organiser Chris Meakin admitted there was a lot of litter after the event – which featured music, comedy, circus and displays by homeless groups – but said volunteers cleared everything up.

He added that he hoped the festival would go ahead next year, although he wants it on Hackney Marshes.

"As for the trouble", he said, "that started after the festival finished, and was nothing to do with us. In fact, we suffered too. We had £5,000 of equipment stolen, which has bankrupted us."

Stoke Newington's Chief Supt Niall Mulvihill said the event was "generally good-natured, but was hijacked by a small number of troublemakers."

**FORMER** Stoke Newington restaurant owner Malcolm Kennedy has been jailed for nine years after his third trial for the same killing. An Old Bailey jury had taken 12 hours to convict him, although it cleared him of murder.

Kennedy, formerly of Church Walk, Stoke Newington, was jailed in 1991 for murdering Mr Quinn, 36, after both had been taken to Hammersmith police station for being drunk on Christmas Eve, 1990.

The next morning, Mr Quinn was found dead in the blood-stained cell with massive internal injuries after being kicked and stamped on.

Kennedy claimed a policeman had come into the cell and killed Quinn, then other officers had conspired to frame him.

Kennedy began a campaign to clear his name and his case was the subject of a TV programme. The Appeal Court freed Kennedy on bail in February last year and ordered a retrial. But the hearing was abandoned after new evidence came to light. The jury heard during the 11-week third trial that

Kennedy had taken just 18 seconds to inflict the horrendous injuries. He then calmly sat and waited for police officers to discover his atrocious crime.

The most damning evidence came from scientific experts which showed blood stains on his clothing and a

24 HACKNEY GAZETTE May 13, 1994

# WRONG MAN SENT TO JAIL OVER BOMB LORRY, COURT TOLD

A STOKE NEWINGTON man accused of carrying out an IRA bombing blitz claimed at his trial this week that he had been the driver of a lorry bomb for which another man is serving a 25-year sentence.

Patrick Hayes, 41, of Walford Road, told an Old Bailey court the lorry packed with 3.2 tons of explosives – which police stopped in Stoke Newington Road before the Lord Mayor's Parade in November, 1992 – had been driven by him, and not by Patrick Kelly, who was convicted in October of attempting to murder PC Ray Hall and conspiring to cause explosions.

PC Hall was shot twice at point-blank range in Belgrave Road, Stoke Newington, after the vehicle was stopped in a random check. Kelly was arrested in the same area about 15 minutes later.

Hayes, who is accused of taking part in a separate "indiscriminate" bombing campaign with co-defendant Ian Taylor, claimed there was "irrefutable" forensic evidence linking the lorry bomb – "found around the corner from my home" – and a device found at Canary Wharf.

He said Kelly was innocent of any bombing and was convicted

on the basis of his Irish nationality.

Hayes and Taylor, 51, a former British soldier, of Adelina Grove, Stepney, are accused of causing an explosion outside Harrods last January as well as causing a blast on a Victoria-to-Ramsgate train the following month. They are also accused of possessing Semtex and other explosives and possession of firearms.

Hayes is further charged with plotting to cause explosions at Canary Wharf, Tottenham Court Road and Woodside Park Tube station. Both men refused to enter pleas at the start of the trial and not guilty pleas were entered by order of the judge.

Hayer, who is defending himself after dismissing his own lawyers, told the jury: "I was a volunteer in the IRA before the arrest. I am now a member and I still will be when I leave these premises. I have no criminal charges to answer."

Judge Mr Justice Hidden told Hayes the court was not concerned with "a political view."

Mr Patrick O'Connor, QC, defending Taylor, said his client did not disassociate himself from Hayer's political comments.

• The trial continues.

# Third trial convicts Police cell killer

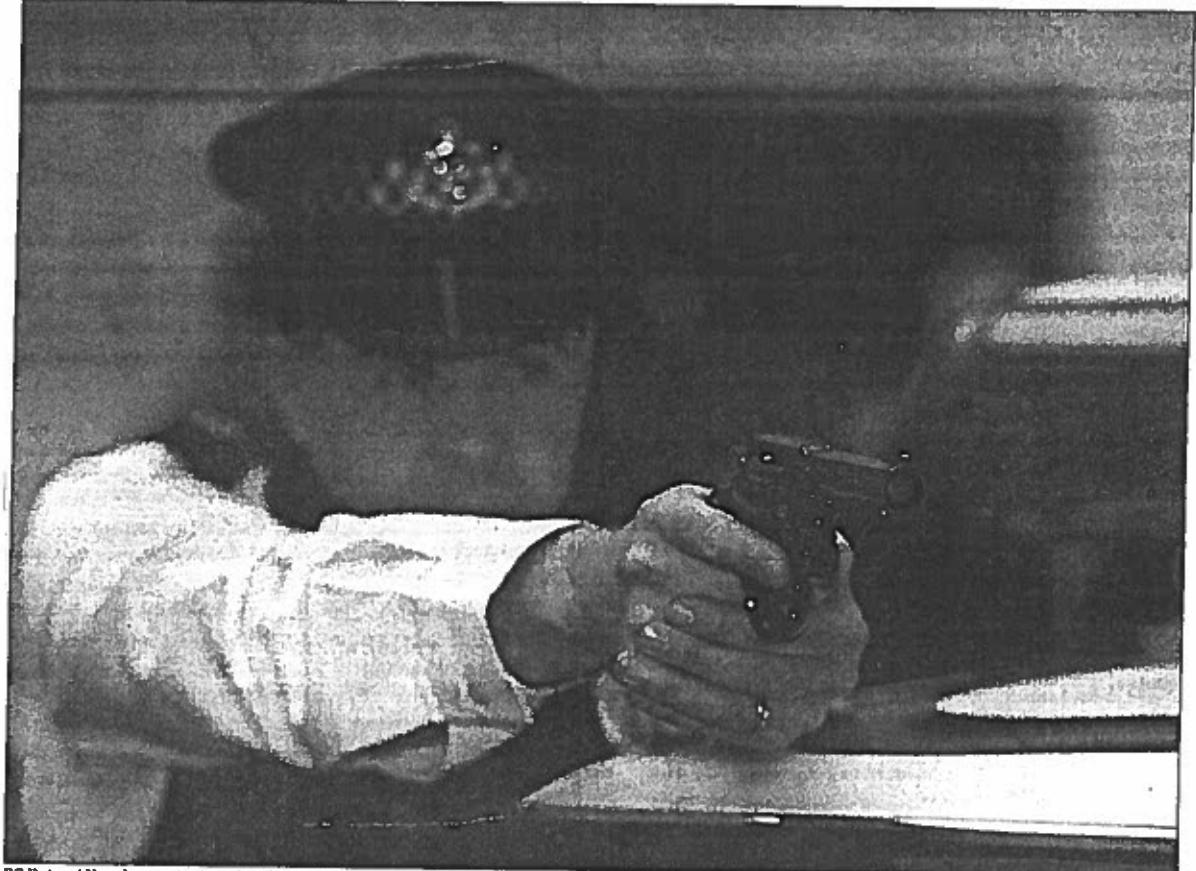
footprint on the dead man's body were consistent with his having stamped on or kicked Mr Quinn.

After the verdict, Kennedy's lawyers said they were considering an appeal against conviction, in particular because PC Paul Giles, a key officer in the case, was declared mentally unfit to testify.

The Hackney Community Defence Association this week claimed the retrial should never have gone ahead because the jury failed to hear all the evidence. And at a public meeting at Stoke Newington's Hackney Community Centre on Tuesday night, it criticised the Police Complaints Authority for not investigating Kennedy's allegations after being told by Hammersmith police there was no need for a complaint's investigation.

"How can the PCA describe itself as independent if it takes its instructions from local police officers?", said an HCDA spokesperson.

HACKNEY  
GAZETTE  
13.5.94



PC Peter Allen demonstrates a handgun after the Metropolitan Police Commissioner announced changes to rules on use of firearms. PHOTOGRAPH: REBECCA NADEN

## Some police to get guns for routine patrols

Duncan Campbell  
Crime Correspondent

THE police yesterday took a further step down the road towards routine arming of officers with the announcement that specialist officers in London will be allowed to carry firearms in holsters.

The Commissioner of the Metropolitan Police, Paul Condon, said that officers in armed response vehicles (ARVs) in the capital will now carry firearms openly rather than having them packed in a metal box in the vehicle.

The move was described by the chairman of the Police Federation, Richard Coyle, last night as putting Britain on a "slippery slope which is getting steeper by the day towards an armed police".

Mr Coyle, who retires as chairman this week, said: "In recent years, officers have begun to ask what is more important: preservation of a proud tradition [of an unarmed police] or protection of a police officer's life?"

If officers were to be routinely armed, it would change the entire culture of the service, he said. At present only 11,000 out of 130,000 officers were trained to use firearms.

Mr Coyle supported the introduction of pepper sprays, CS



trained firearms officers, attend incidents where firearms are being or may be used.

"The Home Secretary has agreed that it makes no sense to arrange for firearms to arrive more quickly on the scene and then to leave in place a complex and bureaucratic process for authority to use them," he said.

Mr Condon said that longer batons are to be issued to officers and confirmed that bullet-proof and knife-proof vests are to be tested at 10 police stations. He hoped that the incapacitating pepper spray, used by police in the US and Canada, would shortly be tested by officers.

Arming the police was not a panacea against attacks, he said, and experience throughout the world showed that firearms did not guarantee safety for officers. But arming the police would be "event-driven".

The recent killings of PC Patrick Dunn and Sergeant Derek Robertson in London had clearly had an effect on the decision to take greater precautions, he said.

"Clearly we value the traditional image of British policing," said Mr Condon. "But we believe our officers and members of the public are entitled to better protection."

The new-style nylon batons are 22 inches long and come in both hollow and solid forms. Three longer batons, from 24 to

28 inches in length, are to be scientifically tested before further decisions are made.

The Home Secretary, Michael Howard, who is to address the Police Federation's annual conference in Brighton tomorrow, said yesterday: "I have always made it clear that police officers should be given proper protection to carry out their difficult job. The effect of this decision is to extend the range of equipment available to them and increase the flexibility they need to protect themselves and the public."

Labour's home affairs spokesman, Alan Michael, accepted the changes proposed.

but argued that the Government was not doing enough to stem the flow of arms to criminals.

Deputy Assistant Commissioner Larry Roach, who carried out the survey on protective equipment for the Metropolitan Police which led to yesterday's announcements, said that there was no general agreement among officers as to whether they should be armed.

"We still need to fill the gap between tapping someone on the shoulder and drawing our pistol."

Senior officers' doubts, page 2; Leader comment, page 21

## Squat raid man wins damages

Duncan Campbell  
Crime Correspondent

A MAN arrested by police during a raid on squatters six years ago received £24,500 damages from the police yesterday.

It is the latest in a series of payments made by the Metropolitan Police in cases where allegations of false imprisonment, assault and malicious prosecution have been made.

Peter Stephenson, then aged 22, was arrested on February 29, 1988 when police were helping bailiffs evict squatters from the Stamford Hill estate in Stoke Newington, north-east London. Mr Stephenson was there to help a friend move her belongings. He claimed a police officer punched and kicked him, and he was assaulted in a police van.

The police alleged he had attempted to strike an officer with a plank of wood embedded with nails. He was eventually acquitted on charges of causing actual bodily harm and affray.

The Metropolitan Police Commissioner has denied liability but agreed to pay £24,500 in damages and legal costs.

Mr Stephenson's solicitor, Raju Bhatt, said yesterday: "This case represents the experience of those who suffer police wrongdoing and are left with the burden of bringing police officers to answer for it because of the failure of the complaints machinery."

The Hackney Community Defence Association claimed that Stoke Newington police "showed prejudice towards squatters with a different lifestyle to themselves".

On May 7 and 8 more than 30 people attending the Hackney Homeless Festival at Clissold Park, north London were arrested. Several who were injured during the fracas have indicated they intend to bring actions against the police.

In February the Police Complaints Authority said it had reported its findings into allegations of corruption within Stoke Newington police to the Director of Public Prosecutions.

GUARDIAN 17.5.94

# Ex-policeman fined £500 for contempt

Duncan Campbell

A FORMER police sergeant who refused to answer questions during the trial for murder of Malcolm Kennedy was yesterday fined £500 for contempt of court.

Mr Kennedy was jailed for nine years for the manslaughter of Patrick Quinn at the Old Bailey 10 days ago.

During the trial last month former sergeant Edward Henery, aged 33, who had been the duty sergeant at Hammersmith police station on the night Mr Kennedy killed Mr Quinn in a police cell, repeatedly refused to answer questions from Michael Mansfield, QC, Mr Kennedy's counsel, about his personal life and his reasons for leaving the police service last year.

Mr Henery left facing 17 disc-



Edward Henery... refused to answer defence questions

pinary charges. He refused to say whether he had shamed illness to avoid a disciplinary hearing.

At one stage he told Mr Mansfield: "I'd like to see you supply some evidence instead of this rubbish." Later he told him: "I'm getting a bit fed up. I'm not happy to stand here and be pilloried."

Neither would he answer when Mr Mansfield questioned him about allegations of sexual harassment made against him by women constables and claims by male officers that he bullied them.

He remained silent when asked about his police and medical records. Despite repeated warnings from Mr Justice Swinton Thomas that he was in contempt of court, Mr Henery said he would answer questions only about the night in question.

At the Old Bailey yesterday Mr Henery, who is studying to be a surveyor at the South Bank University, was told by Mr Justice Swinton Thomas that a prison sentence would be fully justified.

However, because prison would be "fairly tough" on an ex-policeman he had been persuaded to impose a fine.

He said that Mr Henery had been "astoundingly arrogant and very selfish" in taking the line he did. It could have resulted in a grave miscarriage of justice and allowed other officers to be "stamped as murderers, perjurers and conspirators to pervert the course of justice".

Mr Kennedy is appealing against his conviction.

# Doubts over armed officers despite gun crime rise

Peter Hetherington looks at the reservations of senior policemen in cities facing drugs wars backed by weapons black market

**S**EVENOR policemen outside London yesterday expressed misgivings about further moves towards arming officers to cope with a rapid rise in drug-related crime backed by a growing black market in weapons.

With firearms offences nearly doubling in England and Wales over the last 10 years to 13,200 annually, chief constables accept that a new initiative is needed, but are worried about the implications.

Jim Sharples, the Merseyside Chief Constable and chairman of the Association of Chief Police Officers' firearms committee, warns in the latest issue of Police Review: "Arming the police would mark an irrever-

sible change which could have unknown implications for the service and the community. Such a move would have unpredictable effects. Would an arming of police... lead to an even greater carriage of arms by criminals? Would even more injuries and deaths ensue?"

He said a significant number of policemen in the United States were killed by their own weapons and that many British officers were ill-equipped mentally to carry firearms. They often failed a comprehensive physical and psychological training programme.

Moreover, in the past 18 months a joint committee on police use of firearms had surveyed forces twice on the issue

"and 80 per cent... said they had no wish to alter their policies in this regard."

Most police forces already have specialist armed-response vehicles on duty throughout much of the day. In Greater Manchester, where two vehicles have been permanently on duty since 1992, police can also call on a specialist back-up unit. Officers in the vehicles carry pistols in holsters.

But detectives in specialist units complained yesterday that no national framework had been established to tackle the problem.

"If I recover a firearm, I have to contact 40 different forces to try to trace its background," one CID chief said. "There is no

national recording, or reporting centre and no co-ordination."

Concern has been underlined by so-called "turf wars" between rival drug gangs in inner city areas, from Manchester to Birmingham and Bristol.

Yesterday Phil Thomas, an assistant chief constable in the West Midlands, told the 11th European policing conference in Birmingham that guns were being hired out to drug dealers who use them to assassinate rivals. In the past year there have been eight drug-related shootings in the city.

Police in Greater Manchester, where firearms offences have more than doubled in five years to 1,048, have long been aware of this rental racket.

Mr Thomas told 120 delegates that unscrupulous firearms dealers were willing to supply weapons for cash while underworld armories rented them on a "use and return" basis — often fed by an American network of crack dealers.

Merseyside appears to be emerging as a trans-shipment base for weapons with a string of arms discoveries this year, often in empty houses. Last week regional crime squad officers discovered sub-machine guns, including the small Israeli Uzi, silencers, empty magazines and 230 rounds of 9mm ammunition, suitable for the Uzi, in a car in the Anfield district.

In other raids this year AK47 assault rifles, the standard weapon for the old Warsaw Pact countries, 80 Italian 12 bore shotguns, Czech machine guns, hand grenades and plastic detonators have been uncovered after tip-offs.

## Cops and robbers: use of guns

Offences in which firearms were used by criminals in urban police areas

	1983	1992
1 Avon & Somerset	66	154
2 Gt Manchester	438	627
3 Hampshire	219	299
4 Merseyside	400	461
5 London Met	1,048	1,362
6 Northumbria	1313	483
7 Nottinghamshire	284	486
8 South Yorkshire	290	443
9 Thames Valley	204	317
10 West Midlands	2,000	2,621
11 West Yorkshire	421	512
12 South Wales	221	174

## Armed police operations in England & Wales

1983	1984	1985	1986	1987	1988	1989	1990	1991
2,000	2,687	2,488	2,483	2,186	2,227	2,583	2,172	2,123

Police have many theories about the sources of weapons finding their way on to the streets of Britain. They range from the opening of European Union borders to illegal shipments from the US and "under the counter" deals in gun shops.

The Police Foundation, the

independent research institute, said a few dollars could buy Wembley pistols, or even German Luger. "They have been in the country for a long time and have found their way into the wrong hands," he said. "But it's pathetically easy to get weapons into Britain. I know where I can go to buy them; there's a pub in every large town where they are available

in eastern Europe. "It is very easy to smuggle bits of guns into this country," said Barry Irving, the foundation's director.

One arms dealer on the south coast claimed many weapons in

use were often old wartime

weapons, such as Lee Enfield rifles,

Webley pistols, or even German

Lugers. "They have been in the

country for a long time and

have found their way into the

wrong hands," he said. "But it's

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town where they are available

17.5.94  
Guardian

# Public keener than police for guns on beat

Duncan Campbell  
Crime Correspondent

**T**WO out of three people believe that the police should be more widely armed, according to a survey published yesterday by the Police Federation which showed the public keener than the police for officers to carry firearms.

The Gallup poll found that 67 per cent of the public favoured more widespread arming of officers, compared with 46 per cent of police nationally.

Sixty-three per cent of Metropolitan and City police officers who have seen two colleagues murdered and two others shot and seriously wounded in the last five months wanted all officers to carry or to have access to firearms. It was announced on Monday that

some Met officers would carry guns on routine patrols.

But police and public still oppose routine arming, and federation spokesmen yesterday expressed a preference for the use of pepper sprays and more effective batons, with universal arming very much a last resort.

Outside London, 56 per cent of constables believe firearms should only be issued to specially trained officers, as at present. Fred Broughton, chairman of the constables' committee, which commissioned the £38,000 survey, said the results showed that the public would accept changes to the traditional image of the unarmed bobby. The survey, involved 1,000 members of the public and 1,400 PCs.

"Those politicians and chief officers who through their naivety are still reluctant to issue batons... or meet the cost of

effective training now face the spectre of an armed police force," he told the federation conference in Brighton.

"We need better protection and we need it right now," said Mr Broughton, the main candidate for the chairmanship of the federation. "Protect the thin blue line otherwise society will have no protection."

Sir John Smith, the president of the Association of Chief Police Officers and deputy commissioner of the Metropolitan Police, said "We are a long way away from the routine carrying of guns."

He acknowledged that there were police concerns which were reflected by the public but over the last five years, serious assaults and fatalities have not seen a dramatic increase. "My concern is that we overblow the issue," he said.

The survey also suggests that

four out of five constables are unhappy with government support. Home Secretary Michael Howard is due to address the conference today.

The most popular option among the public (37 per cent) was for guns to be issued to all officers "as and when necessary".

The survey offered four options:

- Officers should be armed at all times both on and off duty which was supported by 5 per cent of PCs and 8 per cent of the public;
- All officers should be armed on duty — 22 per cent of PCs and 22 per cent of the public;
- Firearms should be issued to all officers as and when necessary — 18 per cent of PCs and 87 per cent of the public;
- The status quo should be retained with guns only issued to specially trained officers ...

56 per cent of PCs, 31 per cent of the public.

Reasons given for not being armed cited by constables were, by percentage: not having the right temperament (31), the need for rigorous training (23) and because it would encourage criminals to carry weapons (21).

The poll, carried out last month, showed that 68 per cent of the public questioned said arming more police officers would make them less approachable.

It also found that only 9 per cent of police constables have ready access to modern batons, and just 2 per cent to protective vests. Most relied on the traditional wooden truncheon, which WPC Diane Reardon said was a 19th century piece of equipment that should be consigned to a museum.

The federation's outgoing

chairman, Richard Coyles told the conference that the public had lost confidence in the criminal justice system. He accused the Government of being more interested in saving money than improving policing.

"There is a criminal element abroad in the land that, encouraged by the huge financial rewards of drug trafficking and organised crime, will stop at nothing," said Mr Coyles.

"Our criminal justice system has been driven for so many years by concern for the criminal that there is no longer any public confidence in its ability to punish crime and protect the citizen. That is why we have vigilantes and people taking the law into their own hands."

He said the report of Sir Patrick Sheehy on police pay and conditions "tore up traditions and principles right, left and centre."

GUARDIAN  
18-5-94

# New Agers fear clampdown

A proposed new law could mean the end of the New Age lifestyle. Julian Kossoff reports.

**D**ozens of 'New Agers' were in court last week following a pitched battle with police in north London. Campaigners fear that similar confrontations will be inevitable when new laws against squatting come into force next month.

Each side blamed the other for launching an unprovoked attack that led to 27 arrests outside the Robinson Crusoe pub in Stoke Newington on Sunday May 8. Earlier in the day, a homelessness festival attended by 20,000 people had passed off peacefully in nearby Clissold Park.

When the trouble flared in the evening, scores of officers in full riot gear from the Territorial Support Group (TSG) repeatedly charged the remaining festival-goers. Several people were hospitalised, including Barry O'Connor. He claims he was badly beaten with riot sticks by four officers in front of his 15-year-old step daughter. He is now taking legal action, and Scotland Yard has launched its own internal investigation.

A police spokeswoman said the the officers were pelted with bricks and bottles, and that three were injured. She spoke of 'a hard core' of trouble makers being responsible for the incident. However, other witnesses at the hour-long confrontation said several policemen appeared beyond



Police and New Agers clash in Stoke Newington. 27 people were arrested.

the control of their superiors.

Fears are now spreading through London's 30,000-strong squatter community that the Government is planning to use the Criminal Justice bill to destroy their way of life. 'It is singling out these groups as scapegoats,' said a spokesman for the Civil Rights group, Liberty.

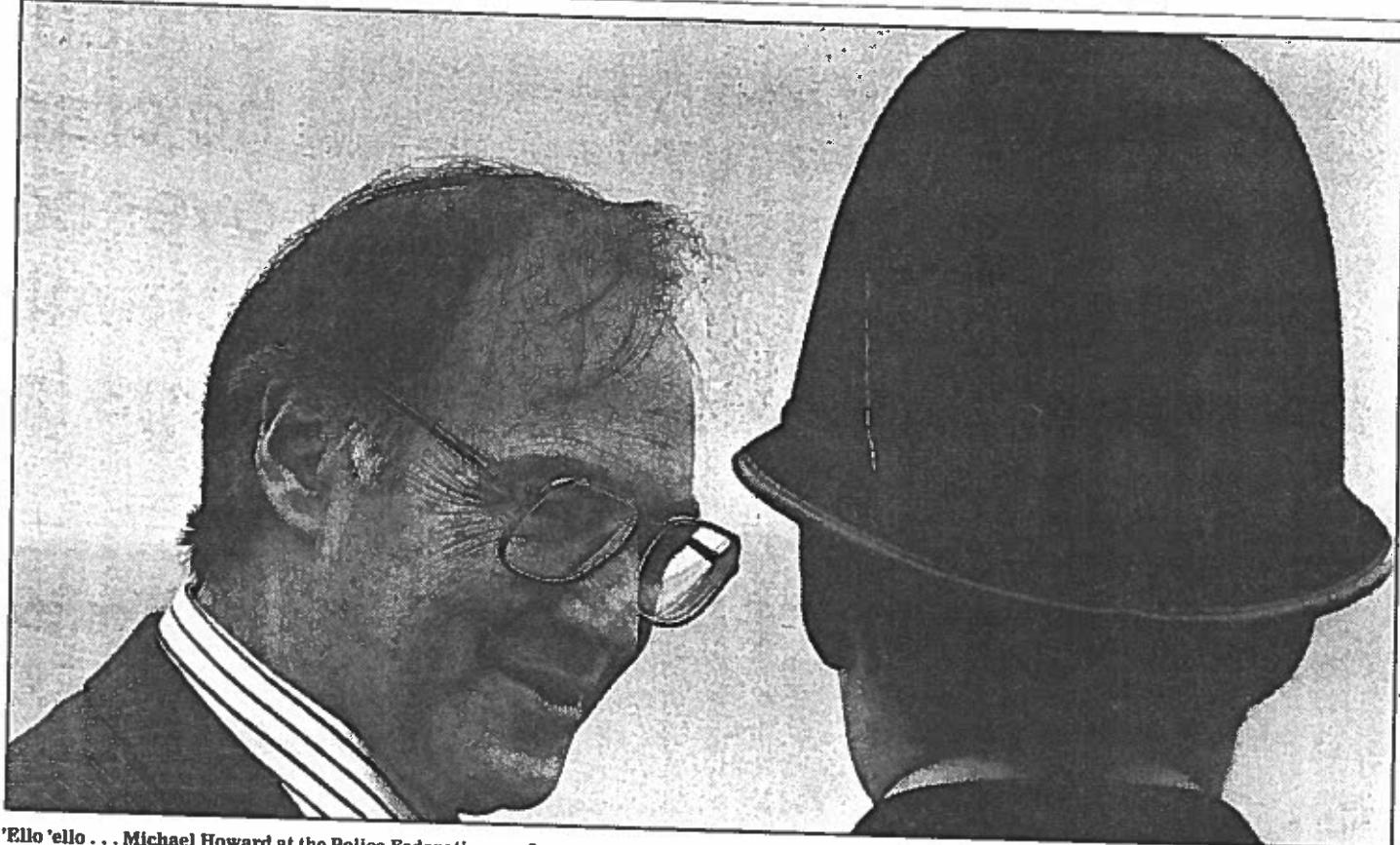
The Bill, currently in the House of Lords, will make squatters who defy landlords' ultimatums liable for criminal proceedings. Eviction proceedings are to be

speeded up and, most worryingly, the new legislation might lead to the use of private heavies and violence to evict squatters.

Jim Squall, activist with Squash (Squatters' Action for Secure Homes) said people were feeling increasingly frustrated and that tension was mounting among squatters. They felt abandoned by the Labour Party, and that all legal opposition was useless. 'People are very angry, and because that anger has got nowhere to go, they will be forced into taking more direct action.'

● On Monday May 16 a man arrested by Stoke Newington police officers in a raid against squatters in 1988 received £24,500 in damages from the Metropolitan Police, which denied liability. Peter Stephenson, 28, alleged he was repeatedly kicked and punched by two officers involved in the eviction of a friend.

TIME OUT 18-5-94



'Elo' elo... Michael Howard at the Police Federation conference, where his speech met with more politeness than enthusiasm

PHOTOGRAPH GARRY WEASER

## Pepper sprays await clearance from risk tests

Alan Travis  
Home Affairs Editor

THE decision by Michael Howard, the Home Secretary, yesterday to delay the distribution of pepper sprays to police officers stems from concern among Home Office scientists that they may be carcinogenic — particularly to the officers who use them.

But if a short Department of Health study resolves the

doubts over their long-term medical effects they could be in use later this year.

The concern stems from United States police experience in using chemical sprays to incapacitate violent suspects.

In the US, 30 suspects have died in custody after being sprayed in the last three years — although in none of the cases was the spray used implicated as a lethal factor.

In many of the cases death

was put down to complications from alcohol and drug abuse and the way suspects were restrained.

However, some American doctors have argued that the chemicals involved can provoke fatal spasms in bronchial sufferers.

Senior police say it is not possible to ascertain whether a suspect is asthmatic before the spray is used.

The sprays being considered by the Home Office have an active ingredient extracted from dried ripe chilli

or cayenne peppers with an extremely high "bite". It causes immediate swelling and burning of eyes and breathing passages.

The research evidence is not conclusive. A two-year study by the FBI and the US army which tested the spray on 889 people reported no long-term health risks. However, private research commissioned by the Kansas City police suggested that in rare instances, using pepper sprays on people with respi-

ratory problems could cause death. Another study suggested they may be carcinogenic in high doses.

The Home Secretary said yesterday it was of concern that the pepper sprays had not been subjected to the vigorous health checks expected in the US.

"We must be concerned about evidence that it may be carcinogenic," Mr Howard told the Police Federation meeting in Brighton yesterday. "I am particularly concerned for the officers who would be deploying it. The right scientific research should be able to give a much clearer answer on this in a matter of months."

Duncan Campbell  
Crime Correspondent

AMERICAN side-handled batons are likely to be introduced throughout the police service, the Home Secretary said yesterday. However, Michael Howard stressed that the Government still opposed routine arming of the police.

Mr Howard told the annual Police Federation conference in Brighton that interim reports showed the 22-inch American batons were effective and he expected to make an announcement on their introduction next month. Merely drawing them often helped to deal with incidents, and most members of the public found the image of a British officer carrying one acceptable.

The new batons are telescopic and made from tough polycarbonate. Mr Howard's announcement yesterday was greeted warmly by federation representatives, but they were less impressed by his insistence that the Government has no plans to privatise a number of police functions.

Mr Howard told the conference: "I want to do all I can to free you from unnecessary burdens... This is not some secretive privatisation exercise nor is it about shedding large numbers of police officers."

Officers fear that police jobs could be cut by up to a third if tasks are switched to civilians or private agencies. The federation's chairman, Richard Coyle, complimented the Home Secretary on his stance on law and order issues but said he feared that a "leaner, fitter and more effective police service" meant one that concentrated only on basic crime fighting.

Officers are concerned that a review of core functions being

carried out by the Home Office will recommend living off traffic patrols and many of the "social service" roles which the police believe are vital if they are to maintain a relationship with the public. The Home Secretary's speech was an exercise in praise of the way the police do their job and reassurance.

Listing measures in the Criminal Justice Bill such as the end of the unprejudiced right to silence and restrictions on the granting of bail, he told them: "I promised action and action has duly followed."

Mr Howard described the right to comment on a defendant's refusal to answer questions on arrest as a "freedom of information act for juries".

He said: "There are always those who are not prepared to take tough action, even when it is so clearly needed. But I will not be deflected... I will not let you down. There have been too many chiefs and not enough Indians. That is why the rank structure is being slimmed down."

Applause at the end of his speech was polite rather than ecstatic.

Earlier Mr Coyle, who retires as chairman this week, was given a standing ovation for a speech which lambasted the Home Office, academics, privatisation and the Sheehy report on the police. But he reserved his strongest warning for the review of core functions.

"The secret of the astonishing success of British policing is that we are all-rounders, providing a comprehensive service to the public," he said.

• The two candidates to succeed Mr Coyle are Jan Berry, an inspector with Kent police, and Fred Broughton, chairman of the constables committee of the federation. The election will be held tomorrow.

# Police reject poverty link with crime

Duncan Campbell  
Crime Correspondent

**D**EPRIVITY and not deprivation was the main cause of crime, the Police Federation decided yesterday.

However, a number of officers attacked a "consumerist, uncaring" society, and criticised the Government for failing to see that unemployment and poverty was creating a "mess" which the police were left to clear up.

In the liveliest debate of the federation's annual conference at Brighton and one of the most overtly political discussions for years, Ian Lock of Avon and Somerset police proposed the motion that "crime is inevitably linked to deprivation" and the federation should exert pressure on the Government to take effective action to reduce the level of crime.

Mr Lock criticised the Employment Secretary, David Hunt, for denying crime had anything to do with poverty and claiming it was the result of "wickedness and greed".

He told delegates that they should ask those who policed large estates in urban areas about the links between unemployment and crime. "We do not seek to criticise the Government, but with power must go responsibility."

He asked the conference: "Somewhere beyond the barricade, is there a world you long to see?"

Supporting the motion, Peter Watson of Merseyside said: "We live in a totally consumer-led world, it's impossible not to

be sucked in by consumerism."

But there was greater applause for Marie Normanton, of Cleveland Police, who told the conference that there had been 300,000 crimes annually in the 1930s compared with 5.5 million today. Many of the so-called homeless were making thousands of pounds, she claimed, and drink, drugs and peer pressure played a greater part in crime than deprivation. Crime was the result of a "greedy, envious and uncaring generation".

Colin Mortimer of Durham warned the conference against taking a political stance, and cited Darius Guppy and Ernest Saunders as criminals who had not been deprived.

David Kember of Kent said that it was "depravity not deprivation" that caused crime.

Mike Bennett, chairman of the Metropolitan Police branch, said he voted Conservative, but the link between crime and unemployment should be denied no longer — Britain was now returning to the "days of the mill-owner".

"We're not playing politics," he said. "We'd be no good at politics — we're much too honest."

George Crichton of Merseyside accused the motion's opponents of sounding like the "Attack the Hun fan club".

Roger Phillips of the Metropolitan Police, who worked with young offenders, said that a growing proportion of young people had never worked. "Is it any wonder some of them turn to crime?"

The motion was defeated heavily, with three-quarters of the 1,100 delegates voting against it.

## Officers to vote on 'right to carry firearms in course of normal duties'

POLICE officers up to the rank of chief inspector are to be balloted as to whether they wish to have the "right to carry firearms in the course of normal duties", writes Duncan Campbell.

found that only 22 per cent said they wanted all officers routinely armed. However, in the Metropolitan and City police, 63 per cent believed that all officers should have access to firearms.

Yesterday's vote means that all 128,000 federation members, including sergeants and inspectors, will have the chance to vote.

The joint central committee of the Federation will meet today to discuss the logistics of the referendum, but it is unlikely to be before the autumn. The Gallup poll cost £38,000, and the referendum is likely to cost considerably more.

# Police settle for £24,500 damages over assault claim

DAMAGES of £24,500 have been accepted by a man allegedly beaten and framed by police helping bailiffs evict Stamford Hill squatters.

But, despite their put-of-court offer and the fact that they face an estimated £50,000 in legal costs, the Metropolitan Police continue to deny Peter Stephenson's claims against two officers at the old Dalston police station, in Dalston Lane, on February 29, 1988.

Mr Stephenson, now 28, from Lambeth, was acquitted at Soaresbrook Crown Court in December, 1988, of causing grievous bodily harm to a policeman and going equipped to cause criminal damage.

He was helping a friend squatting on the Stamford Hill Estate to move because the friend was due to be evicted.

According to his statement, read in Croydon County Court on Monday, he was thrown to the ground by Pc. Richard Tully and then kicked and punched on the way to the police station.

A police doctor found he had bruising to his face and pain and tenderness to the back of his head and rib cage.

At his trial, Pc Tully and a fellow officer, Pc Christopher McAloon, maintained Mr Stephenson had attacked Pc Tully with a piece of wood with nails in it, kicked and punched officer and was later found carrying a four-inch knife.

Rhaju Bhatt, Mr Stephenson's solicitor, told the Gazette: "Once again, we have a case where a citizen has had the task of bringing the police to account to answer

for their wrong-doing. No amount of money can compensate for what this man has gone through."

"Leaving aside the assault, the experience was very traumatic. These charges were serious, imprisonable offences."

"He was highly anxious and distressed all the time between his arrest and acquittal and was diagnosed as suffering from post-traumatic stress reaction."

HACKNEY GAZETTE 20-5-94

... when firearms dominated its conference, the Police Federation chose a marksman as chairman. Duncan Campbell reports

## Officers fear market force

DIRE Straits' Brothers in Arms was blasting out over the loudspeaker. The platform was dwarfed by what looked like a poster for Clint Eastwood's film, *In the Line of Fire*. A secret survey, its findings known only to a few, was about to be made public.

Such was the setting for this week's Police Federation conference debate on the issuing of firearms to police officers.

It has been the survey — showing that a higher proportion of the public than the police believe the police should be armed — the federation's subsequent decision to hold a force referendum on the issue, and the Home Secretary's announcement that a new side-handled baton is likely to be issued shortly throughout the service that have attracted most attention at the Brighton conference.

But the issue that will have far wider implications for the police service than guns or batons or pepper gas sprays received far less coverage or attention.

For many officers believe that the current Home Office review of the "core and ancillary functions" of the police, due to report in September, could mean the end of the existing form of policing with officers involved in many jobs that are not about catching criminals — such as traffic patrols, crime prevention advice, schools liaison work, the issuing of firearms certificates and so forth.

The phrase "core and ancillary functions" does not have quite the *frisson* of guns'n'batons, and it would be difficult to find a Dire Straits tune to accompany any discussion on the subject — Local Hero, perhaps — but officers were suggesting last week that they could see their numbers drop from the current 126,000 to around 80,000 if all "ancillary" functions were hived off or civilised.

Mike O'Brien, the federation's first Labour parliamentary adviser since Lord Callaghan, told the conference that in Los Angeles when a caller dialled the 911 emergency number they were asked what service they required. If it was a cat trapped, they would be put in touch with an agency dealing with that; for crime prevention advice another agency was recommended.

The result, said Mr O'Brien, was that the LA police became a body which people associated only with confrontation and crime — a result which had its

final, fatal consequences in the LA riots.

Dick Coyle, who retires as chairman in the autumn, told the conference: "Crime is important and has to be a major priority after our first task, the protection of life. But if the police are not there to be turned to for help and advice when the citizen needs them, we believe something will go out of our way of life which once lost cannot be replaced."

Jan Berry, an inspector in Kent and the first woman to stand for chairmanship of the federation, told the conference that the "core functions" the police could be left with had one thing in common: "They are all confrontational."

"We would be left with one task which is not confrontational — patrol duties. But we will not have a monopoly on patrol duties. We are likely to face increasing competition from the private sector."

She argued that the police would lose the public's trust, and with it their main source of information. And she warned of an "uncontrollable and unaccountable industry" growing in the form of private security patrols. Traffic officers, she said, played a vital part in the fight against crime because of the increase of ram-raiding and carjacking.

Sergeant Clint Elliott, of Cleveland police, told the conference they were moving towards a British Police Services plc, which would be Treasury-driven. He argued that this would mean fewer officers and the public seeking to fill the gaps left by them through the private sector.

Michael Howard, who was described by Mr Coyle as the best Home Secretary for 30 years, sought to reassure the conference by telling them that he merely wanted to "free them from unnecessary burdens". Pressed further, after his speech, he said he did not anticipate any drop in the number of officers.

The federation remain unconvinced. They believe that Treasury pressure will lead to the jiving off of many of their existing functions and the breakdown of their relationship with a public who see them as having a "social service" function as well as a crime-busting one.

But it is not only the federation that is wary of the review. Sir John Smith, president of the Association of Chief Police Officers, was quoted at the conference as saying "the philosophy of free-market thinking may affect safety in the community".



Reaching out... PC Broughton wants women and the minorities more involved in federation business. PHOTOGRAPH: DANNY WEASER

## Police vote for sharp-shooter

THE new chairman of the Police Federation is a trained marksman who worked with the Diplomatic Protection Group and as a constable in the East End of London.

Constable Fred Broughton says he aims to use the influence of the federation in the debate on policing and criminal justice and wants women and ethnic minorities to be more involved in federation work.

Mr Broughton, aged 44, from Romford, Essex, was elected by the 30 members of the joint central committee of the federation in Brighton yesterday.

He defeated Inspector Jan Berry, aged 39, of Kent police, the first woman to run for the office. Mrs Berry has an Open University degree and 21 years' experience in the police.

Mr Broughton, regarded as "media-friendly," has been an officer for 26 years and is married with three sons. His experience has been in some of the sharper areas of crime — at West End Central and Cannon Row in London with the serious crime squad under ex-Commander Bert Wickstead, and with the DPG.

To increase federation muscle he may suggest recruitment talks with the

civilians in the service, currently with Unison, and with Special Constables. He may seek to cut by a quarter the size of the annual conference, which costs more than £1 million to stage.

Mr Broughton says that he would like to see more women and ethnic minority delegates playing an active part in the federation. "Equal opportunities is one area we have been promoting," he said. "It is not a cosmetic exercise. We do not accept anyone who discriminates by race or gender."

He became involved with the federation in the mid-seventies when police pay and morale were low. "We have now become a major player in the politics of policing but we have to be very careful about how we use that power," he said.

He was not concerned which political party was in power: "we see sense in both parties." But it was important that the police retain all their present functions. "If we are to be effective in policing terms, we have to have a relationship with the public."

He will now head an organisation of 126,000 officers and his pay will be that of a chief inspector, around £30,000.

# The thin black line

**It's not just guns that divide the police. Attitudes towards race are also less than united, DUNCAN CAMPBELL hears**

**W**HEN Barry Thompson filled in his police application form 12 years ago, he took it along to his local police station. The officer behind the desk examined the neat writing, looked up and asked: "And who filled this in for you?"

Now a detective constable, Thompson recently won damages from Kent police for racial abuse suffered during a training course. His victory comes at a time when a number of police officers have been publicly complaining about race-awareness courses and a Police Federation representative was censured for suggestions about the criminality of black people.

Thompson was attracted to the police by advertisements positively welcoming young black recruits following the early-eighties riots. His mother, and a local beat officer in Peterborough, where he had grown up, had encouraged him to join. He had four O levels and was fit and strong. "I was curious as hell about the job and determined, too. Nothing was going to put me off."

On his initial training course at Ashford in Kent he was the only black officer among 300 recruits. "I remember having just got my room key and walking past a group of other young officers and hearing one of them saying, 'Who's got the nigger in their room?' Many of them had never spoken to a black person before. There were the usual insults and on one occasion one of them said something about me being stupid and it coming



DC Thompson: a contender  
PHOTOGRAPH: ALAN REEVES

from my mother. So I said that they could say what they liked about me but if they ever insulted my family I would punch them in the mouth. One of the older recruits, an ex-Guardsman, stood up for me and said that I was right to say what I did and it got better after that."

One of his instructing officers took him aside and kindly said that he would help to prepare him for life outside. This took the somewhat bizarre form of referring to him as "Leroy" or "Rastus" in class. The officer once appeared to be telling the class about the inequities of racism, informing them that Barry

was as British as the rest of them, if not more so, but concluded by saying that "every home should have one".

"I can still remember the eruption of laughter when he said it," he says. "But I thought, they're not going to break me; I must keep my self-discipline."

Thompson started as a beat officer in Cambridge, where he was taken under the wing of a constable with 17 years' experience. "He was excellent. He was very, very sensitive. He didn't wrap me in cotton wool but he was very aware of what was going on." As the first black officer in Cambridge, he was a curiosity. "I learned to lip-read: 'Oh, look — a black policeman'." Once, when a woman stood, gaping and pointing, his older colleague asked her why she had to be so rude. To young black men, he was at first a curiosity but later there were taunts of "Judas".

There were surprises, too, when he began living above the station: "The morning I arrived I walked into the canteen. There was a deathly silence: you could hear the cutlery hitting the table. Other officers were continually saying things like 'how did you get in here'?"

"There was always a feeling that if I was prepared to ditch my blackness, forget my culture, it would be easier, but I didn't want to do that. I'm proud of it — in fact, I don't know enough about my history and my culture so I'm certainly not going to abandon it just to be accepted."

He found that the public mainly noted his colour when there was a confrontation: "If there was a punch-up in a pub or a domestic incident, it would be 'you bastard' to the white officer and 'you black bastard' to me." But some criminals arrested, he believes, were friendlier to someone they saw as a kindred outsider.

He had wanted to move into detective work and had spells on squads dealing with shoplifting, drugs, even cycles. On being assigned to drugs-intelligence work at Huntingdon, he found himself isolated and without what he saw as the resources to do his job. He complained. And was gratified by the result.

"I'm very grateful to the Chief Constable, Ben Gunn. He ensured things were sorted out. My work was suffering and I felt no one understood what was

happening, but Mr Gunn intervened on my behalf."

Thompson was less happy with the training course in Kent two years ago which led to the recent settlement. It was accepted that he had brought an act of discrimination in good faith and was given agreed damages provided that the sum not be made public. He was disappointed that some of his colleagues thought he had taken the action for the money.

There has been much complaining this month by Metropolitan Police officers about having to go on race-awareness courses, preferring instead to be out catching criminals. There has been much huffing, too, that such courses smack of "political correctness" — a convenient jibe for the bashful racist. And Commissioner Paul Condon has been accused of being "politically correct" because he has made attacking officers' racism a priority.

**T**HOMPSON suggests that the officers who complain forget that a lack of trust in the police in some communities, particularly black ones, is preventing them catching criminals. And as long as officers believe that a black officer doesn't have a sense of humour if he objects to being called "Sooty", that problem will remain.

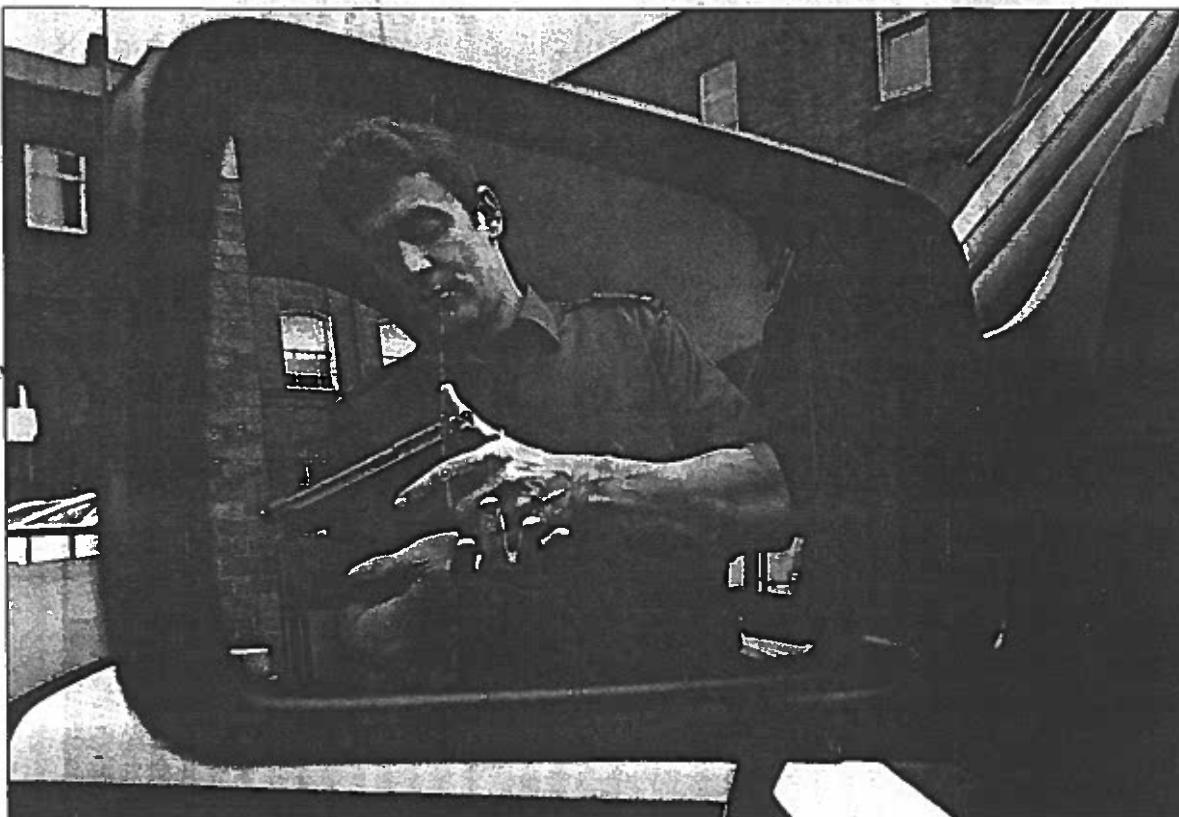
"Young black people won't join if they read about officers suffering racial abuse. And the police need black officers if they are to do their job."

He had good backing from the Police Federation, he says, although he was disappointed by the remarks of Mike Bennett, the Metropolitan Police's branch chairman, suggesting that one of the greatest threats to law and order was posed by some members of the black community, which he later clarified to "Yardies and West Indian gangs who deal in drugs". An inquiry has since been launched; Bennett could face a disciplinary tribunal.

Since Lord Scarman's report on the relationship between the police and the black community, many forces have made genuine changes. But it is still an enormous battle to recruit, and retain, black officers. Barry Thompson says black people and Asians *should* join. He hopes to remain with the police. "But I don't want to stay unless I can be a contender."

GUARDIAN

21-5-94



TWO CARS draw close at a junction in a residential suburb of Manchester. A volley of shots rings out and the vehicles speed away, writes Michael Prestage.

The motive for the exchange is unclear. "It could be anything from drugs to someone messing around with a rival's girlfriend," said a detective.

The incident was one of two in which guns were fired in the city last week. In both cases, officers in an Armed Response Vehicle were mobilised.

The Metropolitan Police announced last week that specialist officers in ARVs in London will now carry firearms openly rather than have them packed away in the boot. Yet in Manchester, their counterparts are sceptical that the move will make an impact.

By the time officers had rushed to the scene of the incident in Chorlton, the gunmen had long gone. As PC Mark Mechan, part of the specialist firearms team, said: "Bank robbers and drug dealers don't hang about waiting for an ARV to show."

In the 18 months that two ARVs have been used around the clock in Manchester, there have been only two incidents where officers have drawn weapons on their own initiative, rather than minimise clearance from senior

## PCs powerless as gangland makes its own gun laws

officers. In one, they were threatened by a gunman. The second was a domestic dispute.

Det Insp Reg Ferguson, head of the operational firearms unit, said: "The ARVs are there as an insurance policy to provide an immediate response. Their presence reassures the public and reassures unarmed officers that there is some back-up. I don't believe they make an impact in reducing armed crime."

None the less, the fact that there are an increasing number of sophisticated weapons on the streets and that criminals are prepared to use them reflects a growing problem in Manchester and other big cities.

A rapid-fire sub-machine-gun can be had for £500. Self-loading pistols sell for as little as £100. For the streetwise drug dealers, shotguns have become passe. In criminal circles, rank is determined by the sophistication of

the weaponry gang members carry.

Firearms offences in the city have more than doubled in five years, to 1,048. The Greater Manchester Police armoury holds a sample of automatic and semi-automatic weapons seized recently. It includes a 9 mm Ingram sub-machine-gun that can empty a 34-round magazine in 1.3 seconds.

The weapons come from various sources. Some licensed gun dealers also sell to criminals, back-street workshops reactivate automatic weapons that can be legally acquired in their inactive form, and eastern European weapons can be bought cheaply on the Continent and smuggled in.

A senior detective said: "If you can ship out a stolen car in a container, you can smuggle an awful lot of guns back in."

The high-profile response has been the ARVs, but a more effec-

tive measure has been the establishment of a detective squad dedicated to tracking down weapons and known criminals.

Recently, one legitimate dealer who was also selling weapons on the black market was tracked down in a 12-month operation. He is now in jail awaiting trial. Det Insp Ferguson said: "With that operation alone, we hope a source of a considerable number of weapons has now been stopped."

Not all weapons are recovered in police raids. One was recently found by children playing on an embankment, another in a telephone kiosk, while three more came into police hands as a result of an anonymous phone call, detailing the car they were in and where it was parked.

But police stress that, while the number of automatic weapons has spiralled, it is uncommon for them to be fired. Innocent casualties are rare, although the death of 14-year-old Benji Stanley outside a takeaway restaurant in Moss Side is a well-publicised exception.

"When rival gangs meet to sort out their differences, it is not at a time when people are out shopping in the city centre," said a senior detective. "The arms themselves are a currency and move from group to group and criminal to criminal."

Tool of the trade: An officer from the Manchester Armed Response Unit checks his gun outside Bootle Street police station.  
Photograph: Judah Passow.

## Met chief playing down call to arms

David Rose  
Home Affairs Correspondent

BRITAIN'S police would be armed routinely only as a result of an 'extreme, unforeseen event', the country's top officer said yesterday.

Paul Condon, Commissioner of the Metropolitan Police, said in an interview with *The Observer* that he expected to serve the remaining six years of his contract as head of an unarmed service.

He had already stated publicly that police weapons policy would be 'event-driven' and that general arming would require 'new forms of terrorism or violent crime', of which there was as yet no sign. For the moment 'London is one of the safest cities in the world', he said.

A Police Federation opinion poll showed apparent police and public support for an armed force, but Mr Condon was critical of reports of his own contribution — the introduction of more Armed Response Vehicles whose officers would, for the first time, wear their guns rather than storing them in the boot of the vehicle.

In addition, the relationship between police and public, to an extent, depended on 'recognition of the sacrifice involved in an unarmed service'.

He said his announcement would result in just 21 extra armed officers in a force of 28,000. Some units, he added, such as Special Branch bodyguards and the Royal and Diplomatic Protection Group, had worn guns for years.

"All we are saying is that if these officers need to draw their

weapons, they don't first have to spend 15 minutes on the phone trying to get hold of a superintendent."

In the past two or three years, Mr Condon said, 'something seems to have happened — as a result of the drug sub-culture, the dangers faced by officers are far more extreme'.

But for nearly all officers, he added, his other new measure — the introduction of longer 'Arnold' batons and protective vests, first disclosed by *The Observer* two weeks ago — was 'much more important'. Together with pepper spray, which Mr Condon hoped would be tested soon, they would restore physical confidence to police on the streets.

Mr Condon said he had grave misgivings about a fully-armed service. Gun-carrying ordinary officers could not receive the existing, concentrated training provided for specialist armed units, and 'if you failed officers in the use of a gun, you would be stopping them from becoming police officers'.

However, he said he was against proposals to make phone tap recordings admissible in court. He said: 'We have no experience of cases where clear evidence for court might have been obtained in that way. Criminals tend to talk in code on the telephone.'

Mr Condon said he would be surprised if the Home Office's present study of police 'core functions', which the Police Federation denounced last week as a prelude to privatisation, produced any 'major challenge'.

But he warned that privatisation of some police roles, such as traffic patrols, could be disastrous. Policing worked by the 'networking' of different specialties. For example, he recalled, two vigilant traffic officers stopped virtually all material had forced the Met to drop 100 cases in the

OBSEVER  
22-5-94

# Police chief queries drug law

Duncan Campbell  
Crime Correspondent

**A**CHIEF CONSTABLE has said that cannabis could be legalised in the long term and has urged a wider debate on the issue. His call, the most outspoken by a policeman of his rank, comes as a think tank publishes a report today calling for decriminalisation of cannabis.

Keith Hellawell, Chief Constable of West Yorkshire, says he does not believe people are being honest about the fact that drugs give young people a "good feeling" and adds that policies are not working. He is the most senior officer to call for a review of the drug laws.

"What is the real argument on cannabis?" he asks on tonight's BBC Panorama programme. "Even the most fervent people who say we should legalise it or decriminalise it don't look for total access, do say it's difficult to drive, do say it's likely to affect your work, do say it introduces a lazy, happy-go-lucky effect.

"You can get people on both sides with convincing arguments and young people will choose the argument that supports what they want to do. I think we need further evidence and a much wider debate."

On whether he sees the possibility of legalisation in the long run, he says: "I think we all must. The legalisation I do see coming after an understanding on the effects on our society."

Mr Hellawell adds: "[People] are not being honest about the positive side of drugs, that drugs do give people a good feeling. A 'buzz' they call it. Some of the feelings that you get from some of the hard drugs are good. I've never taken them, so I'm not speaking from personal experience . . . Of course, there are hugely negative effects as well. And unless we are realistic and honest and open, the children will only jump on to the positive effects."

Calling for drug education for under-12s in schools, Mr Hel-

Turn to page 24, column 2

## Police chief calls for drug law review

continued from page one  
lawell continues: "The current policies are not working. We seize more drugs, we arrest more people, but when you look at the availability of drugs, the use of drugs, the crime committed because of and through people who use drugs, the violence associated with drugs, it's on the increase. It can't be working."

A report published today by the left-of-centre Institute for Public Policy Research recommends a controlled experiment in cannabis decriminalisation.

Drugs and Young People, by Frank Coffield, professor of education at Durham University, and Les Gofton, lecturer in behavioural science at Newcastle University, argues: "Soft drug use is not a problem to young people who feel completely in control of it, but alcohol and tobacco most certainly are and that is where professional attention and parental concern should be directed."

Young people's drug-taking is "rational, logical and responsible", the report says, and media coverage of drugs causes unnecessary anxiety to parents.

The main dangers from cannabis were seen as "being 'busted' by the police or from the tobacco in the joint".

Official drug education, "based on the barely disguised text of 'Thou shalt not', was literally incredible to young people whose own experience contradicted the official line".

GUARDIAN

23-5-94

# Silent reflection

DOES this government want to reduce miscarriages of justice? That was the reason it set up the Royal Commission on Criminal Justice. Yet unless the Lords unite today on opposition to the government's move to amend the right to silence, even more miscarriages are going to occur. The Criminal Justice and Public Order Bill has already passed through the Commons. Today is the last serious chance for Parliament to protect the right.

Ministers argue that the criminal justice system is now skewed too much in favour of professional criminals. It is not an empty argument. The number of suspects refusing to answer police questions is increasing. Up to 16 per cent in the Metropolitan Police area — and 10 per cent outside it — refuse to answer some questions. Almost half those proportions remain totally silent — refusing to answer all questions. Recent research since the Royal Commission suggests that the more serious the crime the more likely is the offender to say nothing. So the government wants to introduce the Northern Ireland procedure under which the refusal of suspects to answer questions — not just at the police station but at the scene of the crime or in the back of the police car, where there are no tape recorders running — will be admissible in court. Juries will be invited to draw inferences. Prosecutors will be able to have a field day in imputing guilt. Opponents believe we can wave farewell to the presumption of innocence. Some argue the new clause is tantamount to compelling suspects to speak.

Both sides in the argument exaggerate. Ministers ignore the fact that about half the people who refuse to answer questions end up pleading guilty — and half those pleading not guilty are convicted. More serious still, the government has produced no research into the Northern Ireland procedure that was introduced in 1988. Since the new procedure, two trends emerge, as the *Guardian's* former Northern Ireland correspondent showed on our law pages: convictions have declined, which is probably unrelated; but the standard of proof has been lowered, which follows directly.

The right to silence is not an ancient right; it was introduced in 1850 to protect defendants from incriminating themselves under judicial questioning. At that time there were over 200 capital offences. They were not allowed to speak at all until the end of the century. It now has two roles: providing important protection to innocent suspects, but also allowing some professional criminals to escape. The solution is not to introduce the Northern Ireland procedure, which will only increase the number of innocent suspects sent to prison. That will be disastrous for the system as well as the individuals, it will also reintroduce "verbals" (invented comments by the police), which will further undermine the system. What is needed is a procedure that protects the innocent but exposes the professional criminals. Lord Ackner's amendment will do that. The right to silence would remain in place until the suspect reaches the police station. Then with the tape recorder working and a solicitor in attendance, the jury could subsequently hear what was said — and not said. Silences can say as much as words. Juries could exercise their true role: applying common sense to issues of fact.

# Right to silence battle renewed

Alan Travis  
Home Affairs Editor

THE Chairman of the Royal Commission on Criminal Justice will today lead an all-party attempt in the House of Lords to modify the Government's plans to abolish the traditional right to silence of police suspects.

Lord Runciman will lead an attempt to restore the right for the suspect under police questioning and at trial, but which attempts to meet concern over "ambush defences" under which the defendant refuses to divulge his case until the moment he enters court.

His attempt to remove the abolition from the Criminal Justice and Public Order bill is backed by the Conservative

peer Lord Alexander, who is chairman of National Westminster Bank, the all-party legal reform group, Justice, and the Labour and Liberal-Democrat front benches.

The proposal to deal with ambush defences would mean there was a duty on the defence to co-operate with the prosecution before the trial once the strength of the police case has become clear.

The attempt to prevent restriction of the right to silence follows a study by Justice of the experience in Northern Ireland, where similar legislation was introduced in 1988. It concluded that far from leading to a higher number of serious criminals being found guilty, it contributed to a fall in conviction rates.

Leader comment, page 23

GUARDIAN

23-5-94

# Howard pressed on right to silence reform

Alan Traviss  
Home Affairs Editor

## England tops US for car crime

Angella Johnson

**E**NGLAND and Wales have overtaken the United States to top the international car crime league, according to a report published today.

The RAC's Car Crime Digest for May 1994 shows that motorists in England and Wales run a 3.3 per cent risk of having their car stolen, compared with Italy's 3 per cent; USA 2.5 per cent; and Scotland 1.2 per cent.

The RAC also warned that there was a danger of car crimes becoming socially accepted. Only half were reported as many people chose to treat stolen radios and smashed windows as petty crime.

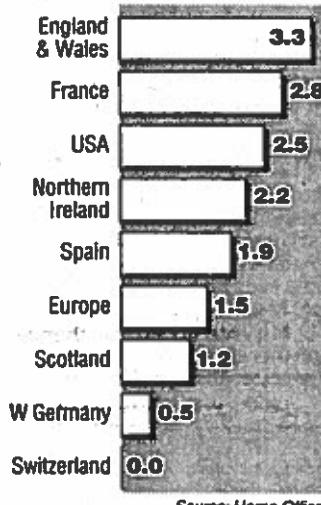
In 1993, the number of cars stolen in England and Wales increased by 10,000, or 2 per cent, on the previous year. But the RAC found that victims were likely to get their vehicles back — though usually damaged — because a high proportion are taken by joyriders.

The most common circumstance for a car to be stolen is a street close to home at night, which accounts for 30 per cent. A quarter of thefts take place in car parks and a fifth in driveways and car ports.

In 1993, vehicle crime accounted for 28 per cent of recorded crime, with nearly 600,000 cars stolen in England and Wales, and more than 900,000 broken into. Less than a fifth were cleared up by the police.

The picture is particularly bleak in Humberside, where the police recorded a 52 per cent

**Car theft in Europe**  
Percentage chance of having car stolen, 1989-92.



Source: Home Office

rise in unauthorised removal of vehicles. Surprisingly, the number of cars taken in London fell 3 per cent, and thefts from cars by 5 per cent.

Despite the gloomy figures, the survey found that thefts from cars in 1993 fell by 4 per cent, the first decline since 1988. Many drivers now try to park in well-lit areas and almost half have fitted a security device or alarm, the RAC said.

- Car users are three times more likely to be injured in accidents than minibus users, the Parliamentary Advisory Council for Transport Safety said, in a report which follows a spate of minibus accidents.

**T**HE HOME Secretary, Michael Howard, appeared last night on the point of another climb-down over his criminal justice plans after the Lord Chief Justice unexpectedly demanded fresh concessions on his proposals to abolish the right to

silence in the face of police questioning.

But an attempt by Lord Runciman, the chairman of the Royal Commission on Criminal Justice, to restore wholesale the historic right of silence under police questioning was defeated in a heavily whipped vote by 176 to 114.

Lord Runciman warned that the proposal — a centrepiece of the Government's law and order reforms — would increase the risk of wrongful convictions which could not be solved by tinkering with the

proposals.

He was supported by the Conservative peer and chairman of

restricting the suspect's right to silence in the face of police questioning.

the National Westminster Bank, Lord Alexander, who said the current government plan would scrap the traditional police caution which says: "You have the right to remain silent but anything you say will be taken down and may be used in evidence against you."

"The new caution will read: "I am going to put some questions to you. You are not obliged to answer them but if

you do not mention now something which you may use in your later defence the court may decide that the failure to mention it strengthens the case against you."

The Lord Chief Justice, Lord Taylor, who has made clear his

general support for the Home Secretary's proposals, said last night that the circumstances under which a refusal to answer police questions could be used to infer guilt were too widely drawn.

"It would permit the judge to comment at the trial on a failure at any stage to answer police questions," he told the House of Lords.

"There are cases where silence at or near the scene of the crime is particularly important but I certainly believe that

the suspect must be cautioned before he is exposed to the risk of being backed off swiftly when the

Lord Chief Justice raised objections to a different aspect of the

Government's plan.

It is also expected that Mr

Howard will have to answer de-

mands led yesterday by the for-

mer Law Lord, Lord Ackner, resisted moves by Conservative backbenchers to limit the power of judges to instruct juries to infer guilt from a defendant's refusal to answer

police questions.

The intervention of the Lord Chief Justice, however, puts Mr Howard under much greater pressure as his criticism reflects strong opposition from a refusal to answer police questions were: that the nature of the accusation is explained to the suspect before questioning; that he has had an opportunity to consult a lawyer and that the interrogation is tape-recorded.

The Home Office minister Earl Ferrers undertook to consider the demands but said if the suspect's first response to the police was "mind your own business" then the court ought to draw its own conclusion.

GUARDIAN 24.5.94

# Police marksman lashes out at firearms 'hysteria'

A POLICE sharpshooter blasted the "myths" which triggered fears over gun-carrying cops on London's streets at the monthly meeting of Hackney's police watchdog group.

The crack marksman from the Met's Firearms Branch aimed his remarks at the "media's hysteria" over new measures which will allow officers in special armed response vehicles to wear weapons openly on their belts.

The new measures introduced by Commissioner Paul Condon last week will double the number of armed response squads from six to 12 vehicles.

The three-man squads, who operate 24 hours a day providing armed back-up to unarmed officers, will wear the weapons

by RUSS LAWRENCE

on their belts and no longer need the specific authority of a senior officer before removing guns from metal boxes in the vehicles.

Supt Michael Waldren, of the Met's Firearms Unit, told last Thursday's meeting of Hackney Police Community Consultative Group it was not a major step towards arming all police.

What was written about cops carrying machine guns on Britain's streets was totally wrong, he said.

The Heckler and Koch carbines carried on board the response vehicles in addition to the three .38 Smith and Wesson handguns were not machine guns, he explained.

"Machine guns keep firing bullets when you keep your finger on the trigger. The Heckler and Koch carbines are no more than very accurate handguns," said Supt Waldren.

He added that the arming of police was not strictly an issue of officers being able to protect themselves, but a morale issue.

"The balance the Commissioner has to strike is that he maintains the morale of his officers at the point where they are prepared to do their job unarmed," he said.

He said those who suggested we were going the way of America "didn't know what they were talking about" and produced statistics to prove it.

Firearms were fired by officers in London three times last year, six times the year before and once the year before that.

The United States does not have national figures, but New York police fired guns 440 times last year. Twenty-seven people were killed and 81 wounded.

"Of those, one person was killed by mistake and another nine wounded," added Supt Waldren.

•Hackney MP Diane Abbott this week condemned the Police Commissioner's measures as "an ill-considered, knee-jerk reaction to rising crime."

## Murder-hunt police will attend Trevor Monerville's funeral

by RUSS LAWRENCE

the funeral procession from St John the Baptist Roman Catholic Church in King Edward's Road, Victoria Park, past his home and on to the City of London cemetery in Manor Park.

"Trevor had a painful life, but we didn't see any reason why his funeral should be downbeat," said his father, John.

Det Con Chris Singleton, who will attend the funeral, appealed for witnesses or information about the murder this week.

"We are particularly keen to hear from anyone who was in the vicinity of Trumans Road in the early hours of Friday, March 19," he said.

"We also want to hear from anyone who may have heard anyone chatting or boasting about their, or someone else's involvement, on the grapevine."

Det Con Singleton can be telephoned on 071-488 6668.

DETECTIVES hunting the killer of a man who achieved notoriety as a victim of alleged police brutality will be among the mourners at his funeral next Friday.

Trevor Monerville, 26, was stabbed to death two months ago in Trumans Road, Stoke Newington.

As a 19-year-old, he sparked a huge campaign backed by MPs and the council when he was left temporarily paralysed and brain damaged on a life support machine after Stoke Newington police arrested him for breaking into a car.

His case led to demands for a judicial inquiry from Hackney MPs Diane Abbott and Brian Sedgemore, and two years ago his grandparents were awarded £50,000 in damages after the police raided the home in Richmond Road, Dalston, which Trevor shared with them.

A New Orleans jazz band will lead

HACKNEY GAZETTE

27-5-94

# Can the law finally grasp the poppy?

The police are taking the lead by staging a refreshingly realistic debate on drugs

Duncan Campbell

In 1923 a group of young army officers, "disgusted by the degenerate parasites of the West End" and, in particular, "dope peddlers and other crooks" were reported in the *Newspaper of the World* to have taken the miscreants to the outskirts of London where they flogged them until they promised to mend their ways.

They were apparently following up a suggestion made by the writer Cyril McNeile — Sapper, author of the Bulldog Drummond books — in an army mess shortly before he died that "young men of energy" should form themselves into gangs to deal with the drugs menace. The *NoW* reported that this idea had struck a chord with the young officers because one of their number had recently broken off his engagement as his fiancee had become addicted to marijuana: "she is going to these cigarette orgies. It will be years before she is well."

Nearly 70 years later, the country's most senior police officers are meeting in Wakefield to take part in what is likely to be the most far-reaching public discussion they have ever hosted on drugs. Among the previously unthinkable thoughts on the agenda are legalisation, decriminalisation and the licensing of drugs. The conference will be addressed by the secretary general of Interpol, Raymond Kendall, who has already expressed his doubts about current drugs legislation, Lord Mancroft, a member of the All-Party Misuse of Drugs Group, whose theme is the need for alternative solutions and Keith Hellawell, chief constable of West Yorkshire whose remarks recently on *Panorama* about the eventual possibility of legalisation restarted the current debate.

But it was not so much Hellawell's comments on legalisation but what he had to say about the reasons people take drugs that were significant: "(people) are not being honest about the positive side of drugs, that drugs do give people a good feeling."

At last a senior public figure was acknowledging that people take drugs for pleasure, either because, as Hellawell went on to say, they get a "buzz" from them, or because they need, as one drugs doctor puts it, a "chemical walking stick." Previously, the official attitude has been that people who took drugs must be weak, mad, bad or suicidal because everyone knew drugs did harm, caused addiction and led to death.

The Government, the police and the judiciary — many judges still don't know the difference between the various drugs — cooperated in this si-

tion and were aided until recently by journalists happy to endorse a world of "cigarette orgies". As a result, a debate on drugs far removed from reality has ensued.

On the one side were those who propose jail sentences of 25 years and on the other were the masses who had taken drugs and who found some of the warnings risible. The downside, of course, was that the genuine dangers and real risks of drugs were equally discounted. With Hellawell's acceptance of reality, there is now a chance for a proper debate.

It is significant that the police are staging the debate: traditionally they have lagged behind parliament on social issues. But where is the political discussion? When has there been a grown-up discussion on drugs in the Commons or Lords? None of the major political parties have shown great courage or imagination.

Tony Newton is now heading a cabinet sub-committee looking into drugs policies in relation to crime, punishment and education. It has yet to report but Michael Howard, who addresses the police tomorrow, has shown little inclination for any radical initiatives. His deputy, David Maclean, has vilified drug-takers in the Commons and at a time when people were being shot regularly on the street as a result of crack cocaine dealing rows, Mr Howard announced a five-fold increase in fines for possessing cannabis.

Tony Blair, who has had the opportunity to advance the debate, has so far failed to do so in any significant way. The left-of-centre Institute for Public Policy Research published a pamphlet last month suggesting a decriminalisation of cannabis experiment but the Labour Party remains officially opposed to any moves, with Tony Banks one of the few voices raising the issue. The Liberal-Democrats disbanded their Scottish organisation when it voted for decriminalisation but have offered nothing of note to the debate. Almost all politicians subscribe to the conventional wisdom that to talk of legalisation would be political suicide.

In prisons, police cells, hospitals, schools, there are walking examples of the failure of the current drugs policies. Yet there is a terror amongst politicians about tackling the issue, grasping the poppy, trying to find out why people indulge. Instead, there is talk of a "war on drugs", a futile war, as Commander John Grieve of the Metropolitan Police said recently, because it would essentially be a civil war.

In some ways the drugs debate parallels the one on Northern Ireland. Again, there has been an unspoken cross-party agreement to do little and hope that it would go away. Although Northern Ireland and drugs are two of the most expensive bills the country has to pay, both were left virtually undiscussed at the last election.

Now at least the police are to debate the law on drugs.

GUARDIAN

8-6-94

# Major resists calls to make drugs legal

Duncan Campbell  
Crime Correspondent

**T**HE Government yesterday ruled out any legalisation of drugs, despite a call by the secretary-general of Interpol for decriminalisation and a suggestion by a chief constable that soft drug users no longer faced penalties in some areas of the country.

John Major said during a visit to Cleveland: "I fear that if you make it acceptable for people to have drugs, they will find it acceptable and they will move from soft drugs to hard drugs."

His remarks came as the secretary-general of Interpol, Ray Kendall, a former Metropolitan Police officer, said the use of both soft and hard drugs should be decriminalised. But he opposed legalisation and said traffickers should be pursued with all the force of the law.

Mr Kendall told the annual Association of Chief Police Officers drugs conference in Wakefield: "The question must be asked whether punishment of convicted persons [for possession] is always the most appropriate response."

Keith Hellawell, Chief Constable of West Yorkshire and chairman of the Acpo drugs sub-committee, said that in many parts of the country soft drugs had in effect been decriminalised, with 50 per cent of cases of possession resulting in a caution, with no court appearance or fine. Ten years ago, the figure had been 1 per cent.

He stressed that he was merely seeking to stimulate debate, and more international research was needed on the effects of different drugs policies.

Last night the Home Secretary, Michael Howard, issued a statement saying: "This Government has no intention of legalising any currently banned drug. To do so would be bound to increase the human and social damage, especially that inflicted on the young."

In contrast with his stance, Lord Mancroft, a Conservative peer and member of the all-party parliamentary group on the misuse of drugs, told the conference that drugs should be sold to those who wanted them at a cross between an off-licence and a chemist.

He said the Department of Health's anti-drugs campaigns attracted children to drugs.

Lord Mancroft, chairman of the Drug and Alcohol Foundation charity, said the use of the criminal law had failed.

"The inescapable conclusion

that must be drawn is that by prohibiting drugs we have inadvertently created the motivation behind a whole new area of crime, and that not only have our best efforts failed to stem it: the likelihood is that this crime will increase as drug use increases."

Over the last two decades the emphasis had been on attempting to reduce supply rather than demand, he said. The increase in crime resulting from the failure of this policy was arguably a bigger problem than drug use itself.

Although people of all political persuasions realised that the present policy was doomed, many politicians were frightened to look at the other options. "The words 'legalisation' or 'decriminalisation' — which is a rather mealy-mouthed way of saying the same thing — need not be the ogres they are made out to be if we look at them in a rational manner."

Lord Mancroft suggested that supplying drugs at a realistic price through government-controlled outlets would eliminate the black market.

Lord Mancroft, whose speech was warmly applauded, also said: "The publicity campaigns of which the Department of Health is so fond seem only to attract children to drugs. No one has ever been scared off drugs."

● The European Commission's huge overseas aid budget could be used to put pressure on drug-producing countries and states along the supply routes under a plan approved by the commission yesterday, writes John Carvel.

The scheme represents an attempt to use untested powers in the Maastricht Treaty to develop a more co-ordinated policy.

Padraig Flynn, the social affairs commissioner, said he hoped the programme would form the European component of a global drugs initiative which the United States is anxious to promote.

He said there would be no attempt to harmonise member states' stances on the decriminalisation of soft drugs.

But he said the European Union should be responsible for spreading information on how to reduce demand for drugs and strengthening co-operation between national law and order agencies.

If the plan was approved by the Council of Ministers, EU foreign policy would be used to attack the problem at the point of production. This could involve trade treaties.

GUARDIAN

9-6-94

# Police avoid drugs row with Howard

Duncan Campbell  
Crime Correspondent

**T**HE police yesterday shied away from confrontation with the Government on the legalisation of drugs and decided to expunge the word "decriminalisation" from the police vocabulary.

The move came as the Home Secretary, Michael Howard, yesterday closed the door on the debate on the legalisation of drugs and accused those who talked of decriminalisation of being "mealy mouthed".

Mr Howard acted swiftly to dampen down discussion of decriminalisation at the Association of Chief Police Officers annual drugs conference in Wakefield. On Wednesday the secretary general of Interpol, Ray Kendall, called for possession of all drugs by users to be decriminalised and the Chief Constable of West Yorkshire, Keith Hellawell, said that in parts of the country soft drugs were effectively decriminalised because police only cautioned people found in possession of them.

A conference working party on legalisation and decriminalisation also came down firmly against legalisation and felt that cannabis should remain a controlled substance.

The working party recommended abandoning the term "decriminalisation" because it was confusing. Instead the term "diversion" should be used to describe the existing policy of cautioning first offenders for possession of soft drugs. The working party agreed that further research on ways of dealing with drugs was still needed.

Another working party recommended that police should concentrate on "anti-social users" rather than "recreational users". David Phillips, Chief Constable of Kent,

told the conference that with limited resources it was necessary to set priorities. "Wayne the glue sniffer, Terry the addict and Sean the burglar" were the anti-social users who caused most damage to society.

Mr Howard told the conference that research suggested that there were 125,000 heroin addicts and 250,000 registered amphetamine users. There had been a 21 per cent increase in the number of new addict notifications in 1992, although this increase could be partly attributable to the success in persuading existing drug users to seek treatment, he said.

Mr Howard criticised moves towards decriminalisation or not enforcing the existing laws: "To maintain criminal laws on the statute book while deliberately deciding not to enforce them is to bring the whole of the criminal law into disrepute. I do not believe we can countenance a pick and choose attitude to law enforcement."

He argued that legalising only soft drugs such as cannabis would encourage the use of all drugs. It would send the wrong message to young people about what society found acceptable.

"Facile comparisons with tobacco and alcohol take us nowhere, especially when we are these days more acutely aware of the damage they can do," he said.

"This government has no intention of legalising any currently banned drugs," said Mr Howard. "To do so would be bound to increase the human and social damage, especially that inflicted on the young. Drugs are harmful."

But Mr Howard accepted that enforcement alone would never solve the drugs problem. The long-term aim was to persuade successive generations that drugs use was "socially unacceptable, pointless and unfashionable, as well as illegal, unhealthy and wrong."

# Yardie violence 'key to control'

Duncan Campbell

**A WOMAN** had her face and body "ironed" by Yardie drug dealers to persuade her to tell them where drugs were hidden, a police conference heard yesterday. It was an example of the escalating violence being used by those involved in Jamaican crime groups.

Detective Sergeant John Brennan of the South East regional crime squad, who has studied Jamaican crime groups in Britain, Jamaica and the United States, said "crack" cocaine seizures had gone "through the roof." The groups, or Yardies as they have become known, were mainly responsible for that increase, he told the Association of Chief Police Officers drugs conference in Wakefield.

Those most at risk from Yardie violence were law abiding black communities in inner city areas, he said. "This has nothing to do with race. This has to do with criminals."

Mr Brennan, a former school teacher who has done a thesis at Exeter University on Yardies, said his research was based on long interviews with Jamaican criminals. He preferred the term "Jamaican crime group" to Yardie. The use of violence and their ability to travel internationally at speed were key factors in their control of the lucrative crack trade, he said.

As an example of the violence he cited the case of a Nigerian

woman drug courier who had been seized in 1991 and taken to a flat in Hackney, east London. There she was stripped naked and dealers, "ironed" her face and upper body with an electric iron to persuade her to tell them where her drugs were.

When she still refused to talk, boiling water was poured over her face until she co-operated. No one had been arrested for the attack, and the woman had since been arrested for heroin trafficking.

Status was vital to the Jamaican crime groups, Mr Brennan said. And it was won by the use of violence and the ownership of firearms.

Jamaican crime groups were an example of "disorganised organised crime" with the groups having a non-hierarchical structure. "There are no Mr Bigs but loads of Mr Bigoughs" said Mr Brennan. "But one thing is clear: this violent group of international criminals are present and organised in our very own back yards."

• Alistair Ramsay, regional adviser in health education for Strathclyde regional council, warned the conference that "shock/horror" tactics which aim to scare children away from drugs could be counter-productive.

Too often adults talked at rather than talking to children about drugs and their messages were ignored, he said.

Mr Ramsay said that health warnings to children did not seem to work. It might be more productive to tell them they were being "conned".

HACKNEY GAZETTE June 10, 1994 5



## Jazz band leads Trevor Monerville's funeral cortege

A NEW ORLEANS jazz band led the funeral procession of murder victim Trevor Monerville - the Hackney man who six years ago achieved notoriety as the victim of alleged police brutality.

The 26-year-old was stabbed to death in Trumans Road, Stoke Newington, two months ago.

As a 19-year-old, he became the focus for a huge campaign after he was left temporarily paralysed and brain-damaged on a life support machine after being arrested by Stoke Newington police and taken to Brixton Prison.

When his father went to the police station, they had no record of him and it wasn't until two days later that he discovered his son had been transferred with serious head injuries from the prison hospital to St Thomas's Hospital.

Murder squad detectives were among the mourners at the funeral held in St John the Baptist Roman Catholic Church in King Edward's Road, Victoria Park, last Friday followed by cremation at City of London crematorium in Manor Park.

Also present were Trevor's two sons, seven-year-old Trevor junior and Francis, three.

## Slapping boy costs policeman £150 in fine and compensation

A POLICEMAN who slapped a 14-year-old boy's face was fined £100 and ordered to pay him £50 compensation yesterday.

PC Steve Guscott, aged 42, has also been summoned to a disciplinary hearing before the Chief Constable of Avon and Somerset, David Shattock, next month.

The 14-year-old — whom magistrates in Bridgwater, Somerset, ruled could not be named — sat at the back of the court to hear PC Guscott, a part-time lifeboatman, plead guilty to common assault.

The youth went to the police to complain after being slapped in the face by PC Guscott, who had been called to disperse a rowdy gang of teenagers near his own home in Minehead, Somerset.

Ian Wilson, defending, said: "He simply wanted them to stop the noise and go home."

The assault happened when PC Guscott cornered the boy by himself. "He got hold of the boy by the lapels intending to speak to him and as he did slapped him on the cheek. It was no more and no less than he would do with his own son if he had behaved in a similar manner. It was not more than chastisement of a child, it was certainly not premeditated."

A Police Federation spokesman, John Milton, said more and more officers were finding themselves in similar situations because of a lack of manpower. "Steve had called for assistance, which was not available. Police officers are open to constant ridicule from youngsters who know we are short of resources and take full advantage of it. We are just trying to keep the top on it all."

GUARDIAN 14-6-94

# Flood of support for PC who slapped boy's face

Duncan Campbell  
Crime Correspondent

**W**HAT is destined to be known as the Clip on the Ear case provoked widely differing responses from police organisations, lawyers, children's rights groups and former officers yesterday.

Dozens of people rang the headquarters of Avon and Somerset police in support of PC Steve Guscott, who on Monday was fined £100 by Bridgwater magistrates and ordered to pay £50 compensation to a teenage boy he had struck.

The fine — and the fact that the officer could lose his job at a disciplinary hearing to be held on July 22 — provoked outrage from Conservative MPs and police officers but support from children's legal organisations and lawyers specialising in civil actions against violent police officers.

PC Guscott slapped the 14-year-old in the face after he been called to disperse a gang of youths near Minehead, Somerset, last March.

The youths had been taunting pensioners Thelma and Arthur Campbell by banging on their door and running away. PC Guscott said he was abused when he arrived on the scene. He took the boy by the lapels and slapped him. The boy suffered a nosebleed, said his mother.



PC Steve Guscott . . . still faces disciplinary hearing

Dick Coyle, chairman of the Police Federation, said their switchboard had been inundated with calls of support and offers to pay the officer's fine.

"This is a dilemma that all police officers face when they try to enforce standards of behaviour that appear to have gone out of fashion, such as respect and consideration for the elderly. The calls show that the public understand that dilemma," he said.

"A widely respected officer, who does a lot of voluntary work, finds his career in jeopardy through one error of judgment."

The local Police Federation

spokesman, Robin Hobbs, said that messages of support and offers to pay the policeman's fine showed the high degree of support from the public for the police service.

Geoffrey Dickens, Tory MP for Littleborough and Saddleworth, said: "This police officer should not have been put in this terrible position. He should have been given a medal."

The parents of the boy, who cannot be named for legal reasons, have received "hate" telephone calls. Callers have suggested that the boy's father, who is Spanish, should "go back where he came from." The boy's mother said that they appeared to have been turned into "villains."

There was also less sympathy for the officer in other quarters. Valerie Williams, of the Children's Legal Centre, said: "It's inexcusable. It is more disturbing that it is a police officer involved. He should be setting higher standards and ought not to be resorting to violence against a 14-year-old."

Raju Bhatt, a solicitor who has brought a series of successful civil actions against the Metropolitan police for assaults by police officers, said: "I wish that such positive action was taken when much more serious crimes were committed by the police."

Leader comment, page 23

GUARDIAN 15-6-94

# Aid for domestic violence victims

Clare Dyer  
Legal Correspondent

**T**HE Government is to reform the law on domestic violence to protect a wider range of victims and make it easier to arrest perpetrators.

The changes, announced yesterday by Lord Mackay, the Lord Chancellor, will extend protection now covering only spouses and cohabitantes to a range of people linked by domestic or family relationships.

Where violence has occurred or been threatened, courts will normally be required to attach a power of arrest to an order forbidding one party from molesting the other. This allows the police to arrest the person breaking the order. At present, many judges are reluctant to attach such a power to domestic violence injunctions.

The measures, to be introduced "when a suitable opportunity occurs", will implement most of the recommendations of a Law Commission report two years ago. They will rationalise an area of the law widely criticised for inconsistencies, loopholes and anomalies.

Critics have pointed out that the present law gives little protection to former wives and ex-cohabitantes, although those most likely to resort to violence include ex-partners who refuse to acknowledge that a relationship is over.

Relationships to be covered by the new measures are:

- Spouses and ex-spouses
- Present and former cohabitantes
- People who live or have lived in the same household
- Certain close relatives
- Co-parents of a child
- Parties to a family court case

People linked by these relationships will be able to

apply for non-molestation orders against each other, stopping specific behaviour or "molestation" generally. This would include serious pestering or harassment as well as violence. Children will also be protected.

Former and current spouses and cohabitantes, and others in the prescribed relationships with a legal right to occupy the home — for example, as joint owners and tenants — will be able to apply for occupation orders, giving one party the right to live there and excluding the other.

Spouses and others with a legal right of occupation will be able to apply to exclude the other indefinitely. Otherwise, occupation orders will be for a maximum of six months, renewable for six months at a time.

In cases of actual or threatened violence, courts would be required to attach a power of arrest to an order, unless the applicant or child would be adequately protected without such a power.

At present, most domestic violence injunctions do not include a power of arrest. Of nearly 26,000 non-molestation injunctions granted in 1992, only 9,660 had a power of arrest attached, and in the North-east fewer than one in six.

The Government has rejected a Law Commission recommendation that police should be given power to apply for orders on behalf of victims too cowed by violence to act themselves. The commission recommended that the remedies should also be available to those once engaged to each other and those in, or formerly in, a sexual relationship. But the Government has decided their inclusion would pose problems of definition and proof, and would not be justified.

**T**HREE detectives lied in their notebooks, created false evidence in notebooks, created false contemporaneous notes; and gave false evidence at the trial about the time and circumstances in which these notes were made.

She claimed that records at the police station showed one of the numbered notebooks was not issued to Mr Collins until August 19, 1985 — eight weeks after the day he claimed to have made notes of an interview in it.

Mr Jones had made a 153-page statement, which should have been a copy of the "contemporaneous" interview notes.

But scientific tests using electrostatic detection apparatus proved that 18 pages or parts of pages had been re-written, some more than once and many out of sequence. Yet the "contemporaneous" interview notes the officers referred to in court had matched word for word the final version of this altered statement.

"The truth and accuracy of Wayne's confession was very important for the prosecution case. Any suggestion that words were put into his mouth would leave it open to attack," Mrs Grindrod said.

The Crown alleged answers were suggested to Wayne who undoubtedly made admissions and an apparently convincing confession. The officers may have believed they genuinely have believed they had the right man, but this was not a re-trial of the murder case.

Mr Jones, then a detective sergeant, and Mr Collins interviewed Wayne Darvell. Mr Thomas, then a detective inspector, later took charge of the interviews.

Mrs Grindrod said that Wayne began to confess to the killing that afternoon, although his brother — who was interviewed separately by other officers — consistently denied any involvement. Four days later both were charged with the murder and in April 1986 were convicted at Swansea crown court.

"A very important part of the evidence was Wayne's confession. There was no forensic or scientific evidence," said Mrs Grindrod. "The Crown alleges

# 'Clip on the ear' boy's family in fear

Duncan Campbell  
Crime Correspondent

**T**HE family of the boy at the centre of the Somerset "clip on the ear" case are considering leaving their home because of threats to burn it down, their lawyer said yesterday.

It also emerged that the boy had originally been taken to hospital for his injuries, which the lawyer said were more serious than a "clip on the ear".

On Monday, PC Steve Guscott was fined £100 by Bridgwater magistrates after pleading guilty to assaulting the 14-year-old boy while trying to disperse youths allegedly pestering an elderly couple on the outskirts of Minehead.

Mr Guscott faces a disciplinary hearing next month, at which it will be decided whether he should be dismissed from the police. He also had to pay the boy £50 compensation.

The case provoked outrage, encouraged by newspapers which have called the boy a thug, hooligan and tearaway. His parents have received threatening phone calls, some of which have suggested their house will be burned down.

Their lawyer, John Napier, said he had advised them to consider moving, either temporarily or permanently, for their own safety. They were now contemplating such a move.

"They have had a number of extremely unpleasant and abusive phone calls," he said. "They have had people telling them to 'watch your house'. It has been very upsetting for them."

Mr Napier said the couple, who cannot be named for legal

reasons, were hard-working and law-abiding and had built up their own small business. The father, who is from southern Europe, had been told to "go back where you come from". The boy had not been able to go to school since the case became public.

"They are very sympathetic to the police and accept that they have a difficult task," Mr Napier said. "They do not wish the officer to be sacked. If their son had been misbehaving they would have disciplined him themselves. That is the kind of persons they are."

Mr Napier also said that the boy had been badly misrepresented in the media. "He is not the thug, hooligan or tearaway he has been described as. He has never appeared in a juvenile court or been cautioned. Completely unfounded and unfair allegations have been made against him."

The "clip on the ear" phrase was also misleading, he said. "He was taken to hospital by the police [for his injury] and then escorted back to his home," said Mr Napier. When he returned home his nose was still bleeding.

A spokesman for Avon and Somerset police said they could not comment on whether a juvenile had committed offences. He said the police were aware that threatening phone calls had been made to the family.

PC Guscott, who has been in the police for more than 20 years, will appear before a disciplinary tribunal on July 22. He is being supported by the Police Federation both nationally and locally. Many members of the public have offered to pay his fine.

"Interference with the integrity of evidence to be presented at a trial strikes at the very heart of our system of justice. Police officers cannot, even if they believe at the time that they have the right man, message the evidence so that the jury is induced into believing the same."

The trial continues today.

# Police accused of faking notes

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# Stokey residents pay for police notoriety in blood

THE east London community has repeated its appeal for further investigation into the activities of the Stoke Newington police following a spate of incidents recently, which they claim lends credence to the view that certain officers based at the station exult in their notoriety.

Stoke Newington local David Charles' testimony at Snaresbrook Crown Court last week gave a horrific account of injuries he alleges he received from Stoke Newington officers who came to his home in the dead of night last winter.

Mr Charles suffered facial injuries during his arrest which necessitated a 36 hour stay in hospital. Ten police officers,

including one Inspector, straight-faced told the court they believed Mr Charles' injuries were "self inflicted".

Mr Charles faces charges of attempted wounding and affray. Police officers claim he tried to stab several of their colleagues with a 7½ inch knife they found down the back of his trousers; Mr Charles does not possess a holster and there is no record of any cuts or wounds consistent with his having carried a knife in the manner the police officers describe.

Eyewitness testimony provided by Mr Charles' neighbours detail a terrifying ordeal suffered by Mr Charles at the hands of rampaging police officers who assaulted him while his hands were cuffed

behind his back.

The case is set to conclude this week.

Such savagery represents a far from an isolated incident in an area where most inhabitants are able to repeat anecdotes of at least one appalling confrontation with the local constabulary, whether through personal experience or that of friends, relatives or neighbours.

In the past month alone there have been at least four incidents which ended in mass arrests following alleged brutality by officers.

Witnesses to an attack by officers at the conclusion of the Hackney Homeless Festival last month allege they saw a man

beaten to the ground with a riot shield while he was holding a small child whilst another witness testified to seeing a man dragged from a wheelchair and assaulted by officers.

Locals claim the appetite for violence displayed by some officers precludes their effectiveness as law enforcers; for example, when residents on an estate attempted to effect citizen's arrest on youths allegedly caught redhanded interfering with cars last week but whilst they were giving chase the police arrived and promptly proceeded to arrest the residents, allowing the alleged vandals to go on their merry way.

Last February the Police Complaints Authority submitted a report to the Director of Public Prosecutions, on allegations of corruption against 27 Stoke Newington police officers.

Amidst protests that the number represented "a few bad apples in the barrel" there was widespread condemnation of the manner in which a collective blind eye was turned to seemingly blatant police involvement in the local drug trade. The Crown Prosecutions Service pledged to announce criminal charges as soon as possi-

ble, but four months later charges have yet to be preferred.

The Hackney Community Defence Association [HCDA] referred a report to the Home Secretary, Michael Howard, insisting on a judicial inquiry into policing in Hackney and Stoke Newington.

The Home Secretary's office publicly gave a commitment to thoroughly investigate the matter at the height of the furore. However, within weeks a private letter from the Home Office told the HCDA that they no longer believed an inquiry was necessary.

"This type of unwillingness to take our concerns seriously is precisely the type of inaction that has had such disastrous consequences for our community," said a spokesman for the HCDA.

"There is a particular relief operating at Stoke Newington which appears to relish the notoriety its actions have gained for its members, as well as the increasing prevalence of these situations where citizens are assaulted and then charged with offences is damaging the quality of life enjoyed by these people," he added. "We demand that the Home Secretary initiate a public inquiry at the earliest possible opportunity, or sooner."

# Police sergeant demoted for slap

A LONG-serving police sergeant has been demoted after slapping a youth, even though the boy's parents backed the officer.

David Moore was downgraded to constable about 10 days ago after an internal disciplinary hearing at the Devon and Cornwall force's headquarters at Middlemoor, Exeter. He is understood not to be facing any criminal charge.

The disclosure follows the case involving PC Steve Guscott of Avon and Somerset, who was fined and ordered to pay compensation to a boy whose face he slapped.

A spokesman for Devon and Cornwall police yesterday confirmed that a sergeant had been demoted in rank to PC. "He was charged with abuse of his authority. Because the matter is the subject of internal discipline I can go no further."

PC Moore, who is in his 50s, was understood to have a previously unblemished career spanning more than 20 years. He was based at Saltash police station in east Cornwall, but has since been moved and now lives in Plymouth. A police source revealed the boy's mother had spoken up for him at the inquiry.

A police officer, who has worked with PC Moore but did not wish to be named, said last night: "This happened about 10 days ago. We are pretty disgusted. It has caused quite a feeling. Dave has a fairly strong personality and he spent a lot of time getting promoted. It is a very unfortunate situation. It seems totally over the top from the details I have heard."

PC Alan Salisbury of the Devon and Cornwall Police Federation said: "He can decide whether to appeal against the severity of the sentence."

GUARDIAN

20.6.94

# US baton extends long arm of the law

Duncan Campbell  
Crime Correspondent

**T**HE Home Secretary finally agreed to lengthen the long arm of the law by 10 inches yesterday, when he gave the go-ahead for a US side-handled baton to be issued to any force that wants it.

The move follows campaigns by police staff associations seeking greater protection for their members. Knife attacks on officers have been increasing, and only four days ago a constable was stabbed to death in Glasgow.

Michael Howard announced that the baton had been given official approval after trials were successfully completed in 13 police forces.

"The police trials have proved the expandable side-handled baton is an effective and popular piece of kit," said Mr Howard. "They show that the public do not find the sight of officers carrying these batons unacceptable."

Mr Howard, who acts as the police authority for London, can authorise the use of the batons in the capital. "We ask the police to do a difficult and dan-

gerous job, often putting their own lives at risk to help others," he added. "We must give them the protection they need."

The trials of the expandable side-handled baton took place between March and May. A further month's trial, comparing it to other batons, is being held in three forces.

Mr Howard's predecessor, Kenneth Clarke, had angered police staff associations by his refusal to test the longer version of the side-handled batons. He believed they gave the police an intimidating appearance and he was reluctant to introduce them to Britain as they had been used by Los Angeles officers when beating up Rodney King in the incident which led eventually to the LA riots.

Mr Howard reversed this decision. But the batons which have been tested look less threatening because they are no bigger than existing batons until extended.

Some parts of the country are already familiar with the polycarbonate batons which spring from 13.5 inches to two feet long at a flick of the wrist, much like an umbrella.

The side handle makes it more effective against a knife

attack, and it can parry blows better than the traditional baton.

The Association of Chief Police Officers welcomed the announcement, saying the batons were an essential part of a police officer's armoury.

Fred Broughton, the chairman elect of the Police Federation, said: "This crowns a long campaign to secure effective protective equipment for our members doing a dangerous job on the streets."

The former Metropolitan Police commander, Alec Marnoch, who now works as a consultant to forces in the United States, Australia and Asia, welcomed the move but said he believed the batons were a "half-way house". Irritants sprays such as pepper-gas, as used in America, would offer the police greater protection, he said.

• The Home Office review of the core functions of the police will not now end in September but will continue into next year, it was confirmed yesterday. The review has aroused strong feelings within the police, some of whom claim it could end in police jobs being cut by a third, as functions such as traffic policing are privatised.

## Police give up bail chases

Angella Johnson

**C**RIMINALS who jump bail and flee to other areas of the country are likely to remain at large because it has become too expensive to chase them, say senior members of a police force.

Warrants for some suspects will no longer be logged on the police national computer to alert other forces, according to police chiefs in Avon and Somerset in an internal memorandum.

The move marks a dramatic U-turn for Chief Constable David Shattock, who led a national campaign for stricter laws on bail bandits.

He had called for more powers to lock up suspects, after it was revealed one in three crimes were committed by people released by courts on bail.

Police say they cannot justify spending £1,000 to send officers as far afield as Scotland to trace criminals who have fled the force area, unless their offences are particularly serious.

The Home Office is apparently "gravely concerned" about police forces deciding which offenders to pursue and which to ignore, but accepted that there was no law to prevent them doing so.

The cash-saving scheme, expected to run for a six-month trial, has angered many offi-

cers. One said: "I dread to think what the victims of these offences will think about it. This is the sort of thing that is lowering police morale."

Offences covered by the experiment include assault, theft and criminal damage under £750 and burglaries under £150.

Inspector Phil Nicholls said: "We are suffering from considerable financial restraints just like everyone else. Sending officers to collect offenders is very expensive ... If a person has only committed shoplifting and ends up in Scotland can we really justify spending £1,000 travelling up to get them?"

"It is a dilemma but it simply does not make economic sense."

GUARDIAN 21-6-94

# Howard pressed by MPs to create race hate crime

Alan Travis  
Home Affairs Editor

**T**HE Home Secretary, Michael Howard, yesterday came under intense pressure to drop his opposition to a new criminal offence of racial violence after the all-party Commons home affairs select committee announced its support for tougher race crime laws.

The MPs' report, the result of a year's investigation into the rising tide of racial attacks and harassment in Britain, recommends that two new criminal offences be created to make it easier to prove a racial motivation in court, and suggests that additional sentences of up to five years should be available for race crimes.

Their report comes after criticism last week of a three-month prison sentence imposed on Richard Edmonds, a leading member of the British National Party, for taking part in a violent attack on a black man which left him scarred for life.

"We are in no doubt that racial attacks and racial harassment, and the spread of literature which preaches racial hatred, are increasing and must be stopped," the MPs' report concludes.

"If racism is allowed to grow unchecked, it will begin to corrode the fabric of our open and tolerant society. As racism is spreading so rapidly, time is short. We therefore urge the Government and the police to implement our recommendations without delay."

They give fresh support to the all-party group of peers which will next week renew its attempt to include the new offences in the Criminal Justice and Public Order bill.

But the committee, chaired by the Conservative MP, Sir Ivan Lawrence, also warns that there is no point in amending the law if victims believe the police are racist and fail to report the crimes committed against them. Only one in 16 racial attacks are officially reported, say the MPs.

The inquiry reveals that although the police have taken considerable steps in recent years to eradicate racist behaviour within their ranks, there are only 31 ethnic minority officers above the rank of sergeant.

The report notes that there is

a total of 1,900 black or Asian police officers; from this base, 1.5 per cent of the force, at the current rate of recruitment it will take until 2030 — 35 years — before the police match the ethnic minority proportion in the population as a whole.

Home Office ministers have repeatedly rejected calls to create new offences to deal with racially motivated crimes, arguing that they might sour race relations and "provide a handle to those who like to argue that the law gives black people a privileged position anyway".

The MPs strongly dispute this view. "We refute that charge," they say. "It is clear that racial incidents affect whites, blacks, and Asians. In this report we have been colour-blind. Our recommendations apply to all racially-motivated incidents, whatever the victim's race."

They suggest that whenever there is a charge of violent assault and there is sufficient evidence that it was motivated by colour, race, ethnic origin, or nationality, the jury should be invited to consider an additional charge; if proved, an extra sentence of up to five years' imprisonment would be imposed.

The MPs also argue that the Home Secretary's recently announced extra public order powers to deal with the problem of general harassment do not go far enough, and the maximum fine of £1,000 is inadequate.

"This offence does not take account of the real seriousness of many of the actions that make up racial harassment," they say. "Daubing on the wall may be criminal damage but the fact that it is a swastika, which causes more than ordinary distress to the victim, is not taken into account.

"Damage to the victim's car, trespass of the victim's property, or excreta dropped through the victim's letterbox, might all be covered by existing offences, but none take account of the fact that the victim was black or a Jew," say the MPs.

The MPs considered and rejected a possible ban on far-right organisations such as the British National Party, arguing that such groups would only re-emerge under a new name.

*Home Affairs Committee:  
Racial Attacks and Harassment;  
HMSO, £12.15.*

# Travellers claim police jumping gun on sites law

Duncan Campbell on New Age woes

**N**EW Age travellers claim that local councils and police forces are trying to enforce parts of the Criminal Justice and Public Order Bill before it becomes law next month, and are driving them from county to county.

Dozens of travellers have had the buses they live in seized and access to sites has been blocked by boulders. There is also concern that the Government's intention to remove the obligation on local councils to provide sites for caravans could lead to violent confrontations.

The councils, though, claim they could face crippling prosecutions from landowners if they do not evict the travellers.

This weekend tens of thousands will attend the Glastonbury Festival in Somerset. Although most are only weekend travellers and campers, others on the move in the West Country claim they are the victims of a new mood sweeping the area, which is where most New Age travellers live.

Ron Stainer, of the Avon Travellers Support Group, said yesterday: "There is a harassment policy going on now. All

the stopping places are being blocked off with huge boulders or new gates.

"Even my own land has been blocked off with a boulder because I have tried to provide a place for travellers."

Mr Stainer, who grew up in the area, and whose father ran a pub where Romanies were welcome, says the attitude to travellers, both Gypsy and New Age, has changed dramatically. On June 6 there was a mass eviction from a site by the A46 used by New Age travellers.

"The buses were impounded so you have 30 or 40 people dispossessed of their homes," he said, adding that the children who had been going to local schools had had to leave them. "People are now spread over a wide area."

Mr Stainer said the Government's stated intention to repeal the Caravan Sites Act, which would end the duty of councils to provide spaces for travellers, could have "disastrous" consequences.

"It will be like it was in the sixties, with people being moved on and on and on. There is likely to be considerable violence," he said.

She said one group of travel-

lers had had their vehicles fire-bombed by drunks in Oxfordshire, yet there was little local concern about what had happened to them. More travellers were also being attacked.

"The attitude is that they are spongers on the state, they don't deserve any consideration and they don't have anyone who will speak out on their behalf. We are getting lots of

reports of people being very badly treated and moved on whenever they try to stop."

Glen Jenkins, of the Luton-based group Exodus, a coalition of rave party organisers, squatters and travellers, which is also campaigning against the bill, claims supporters of his organisation have faced persistent harassment leading to a series of court cases, the last of

which ended this week with an acquittal. "The bill would give the police more power to take action against any large gatherings. How can we be giving them more power?"

But local councils say they receive many complaints from neighbours of travellers and are obliged to act. In the High Court this month, Anthony Gibbs, a farmer from near Chip-

ping Sodbury, won substantial damages against Avon council because travellers on council land had caused damage and nuisance to his farm.

"We have a non-harassment policy at present," said a council spokeswoman, "but in the light of this judgment we may have to rethink the policy."

She said travellers at the A46

site had been given extensive notice of the planned eviction, which was carried out because the numbers there presented a risk on health and safety grounds.

She said the council had made extensive efforts to find suitable sites, but there was local opposition when such sites were proposed and public inquiries had to be held before action could be taken.



Rock block . . . Ron Stainer, of Avon Travellers Support Group, atop boulders placed by the council to stop travellers using his land. "There will be violence," he warns. PHOTOGRAPH GRAHAM TURNER

# Riot murder police 'made up' interview

Ivek Chaudhary

**T**WO police officers investigating the murder of PC Keith Blakelock during the Broadwater Farm riot in 1985 fabricated part of an interview with a chief suspect to try and secure his conviction, an Old Bailey jury was told yesterday.

Detective Chief Superintendent Graham Melvin, aged 52, and former Detective Inspector Maxwell Dingle, aged 57, plotted to fabricate part of a record of an interview with Winston Silcott, who was eventually charged with the murder, alleged David Calvert-Smith, prosecuting.

"The two officers agreed that Mr Dingle would fabricate part of a record of an interview and that he and later Mr Melvin would pretend that the suspect had said things which he had not said and leave out things which he had in fact said."

"Then they would create the impression that the fabricated notes were contemporaneous, thus to increase the chances of convicting a man for murder," he said.

The court heard that at the time of the riot in Tottenham, north London, in October 1985, Mr Melvin was attached to Scotland Yard's major reserve squad. He was appointed to lead the murder investigation and took Mr Dingle to help him.

Both men deny conspiring to pervert the course of justice between October 11, 1985, and February 13, 1987. Mr Melvin also denies perjury at Mr Silcott's trial. It is alleged that he falsely stated that notes purporting to be made by Mr Dingle during the interview with Mr Silcott were made contemporaneously.

"Melvin gave false evidence on the witness box in support of those fabricated notes," said Mr Calvert-Smith.

Mr Justice Jowitt, presiding, said that following Mr Silcott's arrest on October 12, 1985, six days after the riot, he was interviewed five times over a period of 24 hours. Each time, the interview was conducted by Mr Melvin, while Mr Dingle recorded the questions and answers.

"There was pressure on Mr Melvin to produce results in a serious and difficult investigation for the police in which they came up against a wall of silence."

It was the fifth interview which proved to be crucial and showed a distinct change in Mr Silcott's attitude. In the other

four interviews, he mainly exercised his right to silence and refused to sign the transcripts.

Four pages of the fifth interview were concealed, claimed Mr Calvert-Smith. In the interview, Mr Melvin told Mr Silcott that he believed that he intended to sever PC Blakelock's head and put it on a stake.

According to the notes, Mr Silcott stood up, looked out of the window, swore and said "Jesus, Jesus".

In another exchange, he was asked if he carried out the murder. Mr Silcott is alleged to have replied: "You ain't got enough evidence. Those kids will never go to court, you wait and see. Those kids will never talk, you can't keep me away from them."

When asked about weapons used during the riot, he allegedly responded: "You are too slow, man. They have gone."

Mr Calvert-Smith said: "These pages were fabricated. They were not what Mr Silcott

**'They would create the impression that the notes were contemporaneous'**

had to say. They were written after the event in order to make a stronger case against him.

"It follows that the admissions recorded in the final interview formed the basis of the evidence which convicted him."

The notes were scientifically examined four years after Mr Silcott's conviction, using Electrostatic Deposition Analysis Technique (ESDA). The findings led to a successful second appeal, quashing Mr Silcott's conviction, said Mr Calvert-Smith.

ESDA and laser tests on pages of the fifth interview showed a pattern of impressions which stopped at page three. On other pages of the interviews, there was a clear pattern of impressions, caused by writing above previous pages, said Mr Calvert-Smith.

The paper of pages three to six in the fifth interview was also different, indicating that they were not the originals.

It also appeared that there was a different page five from the one submitted in evidence. The original contained nothing that could be construed as an admission, said Mr Calvert-Smith.

The trial continues.

THE GUARDIAN  
Wednesday June 29 1994

Men sent 'warnings' after complaints of overt activity

## Police justify gay beauty spot snoop

Alan Travis  
Home Affairs Editor

**M**EN visiting local beauty spots are legitimate targets for police anti-gay surveillance operations. Greater Manchester police believe.

Gay groups and civil rights campaigners yesterday disclosed that the force has been sending letters to men whose cars were seen parked at Worsley Woods, Eccles. Their addresses were traced through their car number plates.

The letters, signed by Superintendent Arthur Reid, say the "picturesque area of Worsley Woods and the Bridgewater Canal is being frequented by men engaging in overt and unlawful anti-social/homosexual behaviour". They ask for help in an "intelligence gathering operation" to "combat this problem".

It is believed to be the first time police have used such tactics. The letters were sent to the homes of about 20 people, prompting complaints from the local gay community.

John Wadham, legal director of Liberty, wrote to David Wilson, Manchester's Chief Constable, complaining that the letters "seem to suggest that you are collecting information on people merely because their car was parked in a particular position and that you suspect that the person may be involved in homosexual acts".

"The implication . . . is that such people are a legitimate target for police surveillance. It is clear from the letter that some of the incidents complained of are not even criminal offences."

Paul Farmer, of the Manchester Gay Health Group, said yesterday: "If your wife picked up the post and opened the letter she wouldn't get beyond the

first paragraph. There would be outrage. It is very threatening and designed to frighten."

Mr Reid said yesterday the letters had been withdrawn but defended the tactic, saying there had been persistent complaints from residents about overt indecency. Twenty-two arrests had been made.

"Local residents have rights also — including the right not to be affronted by quite overt homosexual behaviour," he said.

Andrew Puddephatt, Liberty's general secretary, said anti-gay surveillance operations were part of a growing national pattern. He claimed he had been told by one Metropolitan Police officer that he [the officer] had been sent to Jack Straw's Castle, a pub in Hampstead, north London, and told to record the numbers of expensive cars "because Special Branch wanted to do a trawl of interesting public figures".

# Individuals blamed for jailing of Guildford Four

Alan Travis  
Home Affairs Editor

**T**HE Guildford Four, who were wrongly jailed for more than 14 years for two IRA pub bombings, were the victims of individual failings by police officers, prosecutors and lawyers and not any inherent fault in the criminal justice system, Sir John May's 4½ year inquiry concluded yesterday.

But Sir John's refusal to apportion blame and name those responsible for what the Chairman of the Bar Council called yesterday "one of the most disturbing miscarriages of justice in modern times" angered those who had campaigned for the freedom of the four.

"A record quantity of fraud and perjury was committed in this case and it was reasonable to expect that, after careful study, Sir John might have identified some of those responsible," said the Labour MP, Chris Mullin, whose 12-year campaign contributed to their release. "It is a report that will satisfy only those responsible for creating this mess in the first place."

The inquiry, held in private, was set up in 1989 after the Court of Appeal quashed the convictions of Paul Hill, Gerard

Conlon, Patrick Armstrong and Carole Richardson for the 1974 Guildford bombings.

The report will renew pressure on the Government to set up an independent review body to examine alleged miscarriages of justice. But this reform, which the Home Secretary has backed, may be delayed for a further year because of a Cabinet dispute over whether there should be a new criminal justice bill this autumn.

Sir John's £2 million inquiry does make serious criticisms of the Surrey police and crown prosecutors for the way they exceeded their powers, failed to disclose crucial evidence and tried to destroy alibis. He also criticises the decision of the Court of Appeal to refuse a full re-trial despite the emergence of new evidence.

However, he refuses to pass judgment on the circumstances in which the Guildford Four confessions were made or the way they were treated in police custody. "Those who have been prosecuted and acquitted — be they the Guildford Four or police officers — should not be re-tried by a judicial inquiry," says Sir John's 310-page report.

It adds that there is no inconsistency between the quashing of the convictions of the Guildford Four in October 1989 and the acquittal of three Surrey police officers who were cleared last May of manufacturing the notes which led to the original convictions.

"It is impossible 20 years after the event to discover the truth of what happened at all

points in the story. The truth, where I have not been able to establish it, must now and hereafter remain a matter for the consciences of all those concerned," said Sir John.

He published details of army and RUC intelligence reports which led to their arrest and which refer to the alleged IRA membership of both Paul Hill and Gerard Conlon and suggest Mr Hill had deliberately moved to England in August 1974 to join a bombing team. Sir John May concludes: "Where the police feel certain they have indeed arrested the right people, perhaps on the basis of what is regarded as reliable intelligence, but have little or no admissible evidence to prove their guilt, there may be a strong temptation to persuade those persons to confess."

He said the conviction of the four on the basis of confession evidence alone was the single most important lesson.

Last night Paul Hill said the message to corrupt police was business as usual. "Nothing will ever come of your wrongdoings and no one will ever be held accountable for the most serious miscarriage of justice ever in the British legal system," he told BBC radio.

Alastair Logan, the solicitor for Patrick Armstrong and Carole Richardson, criticised the decision to hold the inquiry in private to avoid prejudicing the trial of the three Surrey police officers.

**Process attacked, page 2;  
Justice keeps its distance from small lives, page 24;  
Leader comment, page 25**



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## Officers cleared of fabricating evidence in murder inquiry

GUARDIAN 17.94

**T**HREE police officers accused of making up evidence to ensure two brothers were convicted of the murder and rape of a sex shop manageress were cleared yesterday.

The jury of seven men and five women at Chester crown court took 90 minutes to find the South Wales Police officers not guilty of fabricating evidence against Wayne and Paul Darvell, who were jailed for life in 1986. The brothers were freed last July after the Court of Appeal quashed their convictions on the grounds that they were not sound.

Inspector Jeff Jones, aged 52, was acquitted along with PC Michael Collins, aged 45, of conspiracy to pervert the course of justice by allegedly falsifying

pocketbook notes. They were also cleared, along with Detective Chief Inspector Alun Jones-Thomas, aged 48, of a similar charge relating to the case notes made by Swansea CID officers.

The three officers were involved in the investigation of the murder and rape of Sandra Philips, manageress of a sex shop in Swansea, in June 1985.

The prosecution alleged they conspired to fabricate evidence to secure the brothers' life sentences by rewriting notes of interviews.

The officers appeared relieved after yesterday's verdict and were congratulated by colleagues outside the court. None would comment on the case.

# GUILDFORD four attacked from beginning to end

## The report

**Sir John admits impossibility of finding whole truth 20 years on**

Alan Travis  
Home Affairs Editor

**S**IR JOHN May's report after his 4½-year inquiry into the Guildford and Woolwich bombings makes damning criticism of every stage of the process that led to the arrest, conviction and finally acquittal of the Guildford Four.

However he concludes that the miscarriages of justice which occurred were not due to any specific weakness or inherent fault in the criminal justice system. "They were the result of individual failings... against whose personal failings no rules could provide complete protection."

Paul Hill, Gerard Conlon, Patrick Armstrong and Carole Richardson spent 14 years in prison before their convictions for the two bomb explosions in the town on October 5, 1974 were quashed by the Court of Appeal in 1989. Five died in the bombings and 30 others were injured. Mr Armstrong and Mr Hill were also convicted of murdering two people in a pub bombing in Woolwich in November 1974.

In his report, Sir John says: "The Surrey police did exceed their powers in arresting some 50 suspects but the arrest of the Guildford Four was justified.

He quotes from intelligence reports in the early 1970s which stated that Mr Hill and Mr Conlon were members of D company of the 2nd Battalion of the Provisional IRA and claimed that Mr Hill had left for England in August 1974 to join a bombing team.

"The intelligence was given substantial credence," said Sir John. But the reports — regarded as reliable in the ab-

sence of any other evidence — tempted Surrey police to persuade them to confess.

■ The Surrey police were wrong in seeking to destroy Carole Richardson's alibi rather than investigating it with an open mind. The first arrest of the alibi witness, Frank Johnson, who said he was at a pop concert with Ms Richardson on the night of the bombing, was not justified and his second arrest was not a proper exercise of police powers.

■ The Crown should have disclosed to the defence a statement by Mr Conlon's alibi witness, Charles Burke. "Burke's whereabouts, so far as they were known to the Crown, and at least an indication of what he could say, should have been disclosed. Although there was nothing sinister in the non-disclosure it should not have occurred." "If true", the statement by

**'The truth must remain a matter for consciences of those concerned.'**

Mr Burke — that Mr Conlon was in bed at the time of the Guildford bombing — provided a complete alibi. The two men shared a room at a hostel in Kilburn, north London.

■ Statements by forensic scientists linking the Woolwich bombers with other incidents should have been disclosed by the Director of Public Prosecution before the 1977 appeal.

The Metropolitan Police should have pursued the precise involvement of two members of the Balcombe Street gang, an IRA active unit, in the Woolwich bombings. "However I do not believe that any criticism can reasonably be levelled at them for not doing so... at this time (December 1975)... they had no reason to doubt the correctness of the four's convictions for Guildford."

■ The Home Office's handling of the many representations made on behalf of the Guildford Four were dealt with "carefully and efficiently" but Sir John says the non-disclosure of Mr

Conlon's alibi should have been one of the grounds on which the case was referred to the Court of Appeal. "That it was not was the consequence of the policy and practice within the department and no official deserves blame for it... I recommend the setting up of an independent review body to take over the Home Secretary's responsibility for investigating alleged miscarriages of justice."

■ "One of the most important lessons from the case derives from the fact that they were convicted solely on the evidence of their own confessions.

■ They contended that the confessions were in no way voluntary; that each had been induced by oppression. This, they said, comprised assaults, threats of assaults and threats of violence against members of their family. Whilst questioned at length they had been deprived of sleep, food and drink.

■ Having regard to the public outrage over these bombings, which were followed shortly afterwards by the Birmingham pub bombings, I would not have been surprised if any police force had adopted a hostile approach; the police may have been threatening; they may even have behaved improperly; at this length of time I am in no position to make findings on these questions."

Once Surrey police had arrested Mr Hill and he had led them to the other three, they were satisfied they had arrested the right people and put any further evidence out of mind.

■ The Court of Appeal in 1989 should have been prepared to hear evidence and receive full submissions on all the grounds put forward against conviction.

The mythology surrounding the case has led to misrepresentations. Sir John says the film, *In The Name Of The Father*, wrongly suggested that the appeal succeeded on the grounds that Mr Burke's statement was deliberately suppressed.

Sir John May concludes: "It is impossible 20 years after the event to discover the truth of what happened at all points in the story. The truth, where I have not been able to establish it, must now and hereafter remain a matter for the consciences of those concerned."

## The judge

**Urbane figure at the centre of unprecedented crisis in law**

Claire Dyer  
Legal Correspondent

FIVE years ago, when Sir John May retired at 66 from the appeal court bench, he planned to spend most of his time at his Dorset home with occasional forays to London to sit as a "casual" judge. Instead, he was to find himself at the centre of an unprecedented crisis of confidence in the criminal justice system

This week Sir John celebrated his 71st birthday. The jobs which have consumed his last few years — chairman of the inquiry into the Guildford Four and Maguire Seven cases and member of the Royal Commission on Criminal Justice — have probably qualified him uniquely to identify the flaws which caused the much vaunted English justice system to fail repeatedly.

Lawyers say his meticulous dissection of the Guildford Four and Maguire Seven sagas — in which senior establishment figures played key roles — has not been universally welcomed in the law courts and the Inns of Court. "It's said in the Temple that one member of the Court of Appeal stoutly refuses to speak to him at all," a lawyer said.

Before he was propelled into the spotlight, Sir John was a well-liked but low-profile figure. He won scholarships to

Clifton College in Bristol, Balliol College, Oxford, and to study for the Bar, becoming a QC at the early age of 42.

He delivered a well-regarded report into the prison service in 1979, urging the closure of outdated jails and a building and modernisation programme.

Lord Justice Glidewell, who sat with him often on the Court of Appeal said: "He's very urbane but carries his learning lightly."

He made a strong impression on Alastair Logan, solicitor to the Maguire family. "He was a man acutely aware of the limits of his powers to compel attendance of witnesses and production of documents. He relied on friendly persuasion."

Unlike Sir Richard Scott, who sometimes betrayed irritation with evasive witnesses at his arms-for-Iraq inquiry, Sir John showed "unflinching courtesy" to those addressing him.

## The cases

**Questions still unanswered due to inquiry flaws, critics claim**

John Mullin

**S**IR John May's inquiry was blighted from the start, according to the critics: he had no powers to demand documents or subpoena witnesses, and among those who declined to give evidence to him was Lord Donaldson, the Guildford Four trial judge who later became Master of the Rolls.

Sir John also felt unable to start his hearings on the Guildford convictions until criminal proceedings against three Surrey police officers were over — it took four years for their trial to take place.

Sir John, who had been studying the documentary evidence before the officers' trial, opted to take testimony on Guildford in private following their acquittal, saying it was quicker that way.

But the publication of his report still comes more than five years after the discovery of the documents which freed the Guildford Four, and its 309 pages, completed at a cost of £2.15 million, are based mainly on *in camera* testimony. In October 1989, when the Four were released, it was still a shocking novelty to see long-term prisoners emerge on to London streets.

At a brief Court of Appeal hearing specially convened to quash the convictions, the Lord Chief Justice, Lord Lane, said three police officers must have lied. He hoped their trial would swiftly follow.

The same day Douglas Hurd, then Home Secretary, announced that Sir John, a retired appeal court judge, would lead an inquiry into what went wrong. He would also investigate the case of the Maguire Seven, who had been convicted of making the Guildford and Woolwich bombs.

Avon and Somerset police were already investigating the role of police officers in bringing the original prosecutions, and three Surrey officers were eventually to be charged with conspiracy to pervert the course of justice.

The upshot was that the lawyers representing the Guildford Four had lost the opportunity to present all the details of their case to a full hearing of the Court of Appeal, originally planned for January 1990. But they had gained a judicial investigation, their clients' freedom, and the prosecution of the three police officers.

The way to the release of the Four had been opened when Gareth Peirce, solicitor for Carole Richardson, had found a document in archives in Bristol. It was a strong alibi for Conlon on the night of the Guildford bombings, and had never been disclosed to the defence.

When Sir John began his inquiry, he decided against commencing his Guildford Four inquiries ahead of the three officers' trial and split his work into two: he would deal first with the Maguire Seven, the alleged bomb-makers.

He concentrated on the forensic scientists who had given evidence that the defendants had handled nitroglycerine.

He was not able to see scientists' notebooks which subsequently indicated that scientists had changed statements at the request of the police. The notebooks also showed that the scientists knew the test used for nitroglycerine was unspecific.

But he found enough to convince him the convictions of the Maguire Seven were unsafe and unsatisfactory, a conclusion stated in his interim report in July 1990.

He recommended that the case should be referred to the Court of Appeal, which quashed their convictions in June 1991.

Meanwhile, the release of the Birmingham Six in March 1991 put Sir John in a difficult position. A Royal Commission on Criminal Justice was set up and he was appointed to it, with the purpose of making recommendations from his findings on Guildford.

There was pressure for him to abort his inquiry. The Treasury was said to be unhappy at its cost. The Home Office supposed the Royal Commission had superseded it. But Sir John tried to plough ahead. He had ruled out public hearings ahead of the trial of the police officers, which finally went ahead in May 1993. So he decided to take evidence behind closed doors with lawyers for the Maguire and Guildford defendants unable to cross-examine.

The acquittal of the three officers on conspiracy to pervert the course of justice changes 13 months ago led to further pressure.

Mr Justice Macpherson of Cluny, the trial judge and ex-SAS colonel, had, unusually allowed the defence team to make an initial submission to the jury. As he discharged the officers, Mr Justice Macpherson said he hoped it would be realised there was nothing more to be gained from "gazing at the entrails of the case".

Alastair Logan, solicitor for several of those acquitted, said yesterday he believed the nature of Sir John's inquiry had allowed the whispering campaign to continue. A full hearing at the Court of Appeal might have clarified many of the mysteries surrounding the handling of the case by police and prosecution.



Sir John... criticises police and Crown attitude to alibi witnesses

PHOTOGRAPH: MARTIN ARGYLL

# Further delay for miscarriages review body

**Alan Travis**  
Home Affairs Editor

**T**HE creation of an independent review body to examine alleged miscarriages of justice — the key reform promised by Michael Howard, the Home Secretary, in response to the cases of the Birmingham Six and the Guildford Four — may be delayed for a further year.

Whitehall sources have confirmed that the prospects of a new criminal justice bill this autumn setting up the review body are in doubt as the Cabinet's legislation sub-committee thrashes out the contents of the next Queen's Speech.

Despite Sir John May's inquiry conclusion yesterday that

the miscarriages of justice in the Guildford case were "not due to any specific weakness or inherent fault in the criminal justice system", he does recommend three particular reforms.

The first reinforces the Royal Commission on Criminal Justice's conclusion that the Home Secretary should lose his responsibility for investigating alleged miscarriages of justice.

Sir John also recommends that the safeguards of the Police and Criminal Evidence Act, which include the tape-recording of interviews, should be extended to terrorist cases.

"If all the safeguards of PACE are necessary to avoid miscarriages of justice, then it must be recognised that in terrorist cases greater risks of injustice are accepted than in

the ordinary course of criminal cases," he said yesterday.

The third reform he put forward concerns the question of the use of confession evidence to convict defendants. He says that in the Guildford case the judge did warn the jury in general terms about the dangers of convicting on confession evidence alone. But he adds: "In 1994 I would expect such a jury to be warned first that, surprising though it may seem on occasions, accused people do make false confessions.

"Secondly, against the background of a terrorist bombing campaign such as there was in 1974/75, and the consequent public demand for the arrest and conviction of those responsible, there may be pressure on the police to induce persons

accused to confess by conduct which is not acceptable."

Sir John says that in particular in the Guildford case the presence of "what is regarded as reliable intelligence" — but little or no other evidence — there may be a strong temptation to persuade those persons to convict.

Mr Howard last night acknowledged that Sir John had made a number of serious criticisms of the police, but he said many changes had taken place since the Guildford and Maguire cases. "Clearly much has already been done to correct past mistakes and failings. But the Government is anxious that the criminal justice system ... should be as effective and efficient as possible in investigating crimes and prosecuting and

convicting the guilty ... and only the guilty," he said.

However, his new criminal justice bill is unlikely to place new duties on the prosecution to disclose evidence to the defence. Indeed, the Home Secretary has already signalled that he will reduce the amount of material that should be disclosed after court rulings in the Judith Ward case that any document which might be relevant has to be passed over.

The Government has yet to say anything about the proposal to ensure that judges give specific warnings to juries about convicting on confession evidence alone. But it has begun a pilot scheme on extending the safeguards of PACE in terrorist interviews. This is likely to be extended.

GUARDIAN 1.7.94

## Three arrested after armed police surround factory

ARMED police surrounded a Hoxton factory on Monday after reports that Turkish terrorists were trying to extort cash from the owner.

One eyewitness said: "It was just like a scene out of *Die Hard*. There were police with rifles on the roof and there were big crowds along the canal watching the stake-out."

Three men were arrested by Shoreditch police and bailed to appear at the station on July 28 to find out if they are to be charged. No guns were found in the Orsman Road factory.

# Kurd pointed pistol at police

A "HIGHLY-DANGEROUS" Turkish Kurd with terrorist links faces jail after he was convicted of threatening police with a loaded pistol.

Necmettin Cicekli, 28, drew a loaded Walther PPK on the officers after the police spotted him acting suspiciously in Stoke Newington.

But they bravely gave chase and later found him hiding in a garden.

Cicekli told the Old Bailey he had "allegiance to, and supports" the Kurdish Dev Sol group, who have sworn to bring down the Turkish government.

The organisation is outlawed in parts of Europe after it was alleged to be involved in terrorist crime.

Police had been called to a disturbance in Stoke Newington on November 14 last year and saw two men getting out of a car.

When the pair saw the officers, they split up

and dashed off in opposite directions. As the police gave chase, Cicekli turned and pointed the pistol at Pc Louise Harrison, 23, and Pc Gary Moffat, 27.

Pc Harrison turned and said to her colleague: "He's going to shoot us."

But the pursuit continued and the gunman was found lying under a piece of polythene in a garden.

The pistol had a round in the breach and four more in the magazine.

Cicekli, of Packington Square, Islington, denied making use of a firearm with intent to resist arrest, but was convicted by the jury.

He was said to have punched a third officer, Pc John Conlon, in the face as he was being arrested.

Cicekli was cleared of assault occasioning actual bodily harm after he told the court the attack never took place.

Cicekli will be sentenced on a date to be fixed.

## High-speed cop car in head-on smash

POLICE raced to a high-speed smash involving a cop car.

The damaged police vehicle had been answering a 999 call when it was involved in a head-on collision with a privately-owned car.

The accident happened at the junction of Queensbridge Road and Forest Road, Dalston, last Thursday afternoon.

The driver of the other vehicle was shaken, but nobody was injured in the crash.

# PCs stabbed in flat incident

TWO Stoke Newington police officers were stabbed with a kitchen knife when they went to aid social workers on Wednesday afternoon.

Pc Rita Wallis was stabbed in the hand and Pc Andrew Whelpton had a neck artery ruptured in the 4pm attack.

Hackney Council social workers asked for

police assistance in serving a Section 135 Mental Health Act order on a 26-year-old woman in Amhurst Road, Stoke Newington.

She refused to let them in and stabbed the officers - from Stoke Newington station - after they forced their way into the third-storey flat.

The woman was arrested and has been

detained at Hackney Hospital under the Mental Health Act.

Pc Wallis was taken to St Andrew's Hospital in Billericay for specialist surgery on a severed tendon. She was described as "stable" yesterday (Thursday).

Pc Whelpton was treated at Homerton Hospital and had five stitches in a neck wound. He is now on sick leave.

POLICE have set up a special street robbery squad in a bid to stem the rising tide of muggings and violent assaults on pedestrians.

A team of three detectives based at Hackney police station has been assigned to

## Police crackdown on street robberies

combat the crime which is striking fear into shoppers in the Mare Street, Well Street and Lower Clapton Road areas.

The team will target known offenders - an approach similar to the one used successfully in the Met's London-wide burglary crack-

down, Operation Bumblebee.

Detectives from Shoreditch police station are set to follow suit after a spate of attacks on people walking along the Grand Union Canal towpath near Kingsland Road.

# The law was party to it and the law failed to provide remedy for it

Gareth Peirce, the solicitor who has fought to right many miscarriages of justice, tells CLARE DYER about the futility of the Guildford Four Inquiry

**T**RIVIAL, shallow and pointless" is Gareth Peirce's verdict on the inclusions of Sir John May's inquiry into how the Guildford Four came to spend 14 years in prison for crimes they didn't commit. As the solicitor who represented one of the four, Gerard Conlon — as well as five of the Birmingham Six, Judith Ward, and the family of Giuseppe Cicali, convicted with the Marie Seven and cleared posthumously on appeal — she played a unique role in the long struggle to right the infamous miscarriages of justice which rocked the legal system in the eighties and early nineties. But Sir John's conclusions on lessons of Guildford — exonerating the system but blaming human failings — come as surprise. "If you start from a wrong approach and with any philosophical analysis, hardly surprising you end with something which is needless. To devote time and energy to even looking at the inclusions is really fruitless." A devastating catalogue of the devastating catalogue of the superfluity of British justice was shattered. Pub-

lic confidence in the system plunged to an unprecedented low. Leader pages thundered with demands for safeguards to ensure that nothing of the sort was allowed to happen again. The May inquiry and the Royal Commission on Criminal Justice were set up to lay bare the defects in the system and provide a blueprint for putting them right. Yet by autumn 1993, public concern had shifted and there was little outcry when the Government announced plans to abolish the long-standing right to silence — contrary to the Royal Commission's own recommendation.

None of this surprises Gareth Peirce, who over 20 years has built up a reputation as one of Britain's foremost criminal lawyers. She has thought long and hard about the criminal-justice system and has concluded that all the heart-searching of the last few years has failed to home in on the real issue. Peirce shuns the media and has consistently refused to give interviews, believing that lawyers who succumb to the spotlight risk distracting attention from where it belongs — on the plight of the client. She agreed reluctantly to speak to the *Guardian* in the wake of the May report only on condition that the focus is firmly on the

flaws in the system and firmly away from the personality of Gareth Peirce.

Peirce believes that the crisis of confidence her clients' cases provoked provided a unique opportunity to analyse the criminal-justice system from first principles, which has now been lost. Non-disclosure by prosecution, fabrication by police and concealment by forensic scientists were common threads running through the cases. But by focusing attention on measures to combat these factors, Peirce believes, we are missing the basic cause of wrongful convictions: the fundamental lack of rights for criminal suspects in Britain.

"The cataclysmic shock that went through society here as a result of becoming aware, for the first time, that people had been languishing in dungeons — totally wrongly — as a result of the exercise of arbitrary power, should have provoked a reassessment of the worth of our rights. Instead, the reaction has proved to be shallow and short-lived."

"There was a concentration on the wrong things. Because there was police falsification and fabrication to an extraordinarily cynical degree, because there was falsification by forensic scientists and crippling non-

disclosure on the part of the prosecution, that was focused on as shocking. There was never a serious look at the more fundamental deprivations all those defendants suffered."

"What could have and should have happened was to say leave aside the crimes and malpractices of prosecutors — what Sir John May has marginalised as human frailty. That's irrelevant. What was never considered important, what was never upheld, what was never debated in any trial, what was never canvassed in any appeal, was that these people who were suspects of serious crimes were deprived of rights that a suspect is guaranteed in international law. And the law was party to it, and the law assisted in it, and the law failed to provide a remedy for it. The law is still ignoring that all of that has taken place."

Rights that she believes were breached in the Guildford case include the right to effective counsel, and to freedom from brutality and inhuman treatment. "None of these people — the Guildford and Birmingham defendants, Judith Ward, the Maguires — had a lawyer in the police station. We're still not guaranteeing that: under the Prevention of Terrorism Act solicitors can be excluded for up

to 48 hours. The Birmingham Six met their barristers — two between the six of them — for the first time on the last working day before the trial. They were tried one month after committal, one month after the papers were served on them, so they effectively had a month to prepare for trial."

Lord Widgery, then Lord Chief Justice, when he looked at the Birmingham Six's first appeal, said there wasn't ill treatment beyond the normal. There should be no normality about ill treatment."

The Appeal Court's refusal to order a retrial for the Guildford Four — the appeal judges themselves decided how the new evidence would have affected a jury and dismissed the appeal — was effectively a denial of the right to trial by jury. Peirce contends: "The judges, who are not in our law the arbiters of fact, substituted themselves for a jury. The trial was split into two halves — one half before a jury, the other before the judges. The right to trial by jury means that one looks at the whole of the evidence in the round at one time."

Sir John May dismissed criticism of the Appeal Court for failing to give proper weight to confessions to the Woolwich pub bombings, of which the

Gareth Peirce . . . fighting to defend civil liberties  
PHOTOGRAPH: JEZ COLESON

Guildford Four were convicted, by two of the IRA gang arrested after the 1977 Balcombe Street siege. But Peirce says: "This was the most compelling new evidence you could hope to have — the people who did it were captured, admitted they did it and were prepared to give evidence."

Peirce goes to the High Court this month on behalf of a farmer from Northern Ireland, Aiden Moyle, who is fighting extradition to the US on charges of conspiring to cause explosions. If he ends up standing trial in Arizona, at least he will enjoy the protection against self-incrimination enshrined in the US constitution. In Britain, the Criminal Justice Bill is about to become law, severely curtailing such a right to silence.

"The whole debate, or lack of debate, has focused on achieving a balance between the necessity of convicting criminals, as balanced against people's right to freedom from self-incrimination, which is a right in international law. It was already to a large extent strangled — we make it a legitimate purpose in law to detain people for questioning."

"The concept of individual rights was born in the 17th century. That's critical for aspects of crime because there will always be the majority who will always want the minority to have rights. And the criminal suspect will always be the outlaw, the outcast not deserving of rights. Those are always going to be the easiest rights to take away."

In Britain, she believes, because we have no written constitution, we grow up without any real concept of individual rights. "It is an easy logical argument that there should come a time when you balance off — to make it easier to convict — and say that the individual should forfeit rights for the greater good of the greater number."

Ironically, she thinks, if the talks aimed at ending the conflict in Northern Ireland bring about permanent peace, there will have to be written constitutional guarantees for the province to allay the fears of the two communities. But we in Britain may be left with lesser rights, through laws enacted partly in response to the Northern Ireland problem. "When we look at our own ultimate position, we'll find that we are permanently scarred. We will be carrying the hallmarks forever, particularly in our criminal-justice system, because this has been our historic opportunity to take stock, and we failed to take it."

Peirce believes that in countries with stronger safeguards for individual rights, legislation to remove the right to silence would provoke a constitutional crisis. "Now, lawyers for the defence who go to the police station will be part of the coercive process. They will have to say to the detainee, 'unless you talk, you're more likely to be convicted at the end of the day'. Had there been a proper analysis of what happened to people in these cases, there would have been the capacity — willingness is a different question — to say we have to find better ways of protecting rights, better ways of enshrining them, better ways of teaching them."

"This is probably the best chance we have had for decades to analyse and legislate accordingly. In the absence of analysis, we've ended up legislating to take rights away. The sum total of the horror of these cases is that we are now in the short term and the long term with our rights diminished."

# Court told police invented key Silcott interview notes

Vivek Chaudhary

A FORENSIC handwriting expert told the Old Bailey yesterday that the handwritten records of one interview with the main suspect in the PC Keith Blakelock murder inquiry showed significant differences from the other four interviews conducted with him.

Robert Radley claimed that in four interviews by two officers questioning Winston Silcott — who was convicted of the murder of PC Blakelock during the Broadwater Farm riot in 1985 — there was a similar pattern of handwriting impressions left on subsequent pages and a similar method of writing.

"In general, the pages were written one on top of the next one. You usually had some of

the handwriting impressions of the previous interview on the following interview," he said.

But in the crucial parts of the fifth interview there were no such impressions that could be detected using scientific tests.

The prosecution alleges that Detective Chief Superintendent Garaham Melvin, aged 52, and former Detective Inspector Maxwell Dingle, aged 57, fabricated part of an interview with Mr Silcott to try and secure his conviction. David Calvert-Smith has told the jury that the crucial interview was the fifth one, and scientific tests showed that four of the most important pages were not recorded contemporaneously but invented later by the two officers.

Mr Radley examined the records for Mr Silcott's lawyers in June 1991, using Electro-

static Deposition Analysis. His findings led to a second appeal, quashing Mr Silcott's conviction.

He added that on pages three to six of the fifth interview, there was no clear impression left of the text of previous interviews. "It seems to be a different sequence of writing or different method from the first four interviews in which the pages rested on top of each other. On page three we have lost that method and that carries on through page four, five and six."

Both the accused deny conspiring to pervert the course of justice between October 11, 1985 and February 13, 1987. Mr Melvin also denies perjury at Mr Silcott's trial, when it is alleged he falsely stated that notes purported to be made by Mr Dingle were made contemporaneously.

The trial continues.

GUARDIAN 2-7-94

# Not for truth, justice, and the British way



Paul Foot

**T**HE Rt Hon Sir John May is a former Lord Justice and a very important person, so pay close attention to these words from his report last week to the House of Commons: "In some representations made to me, reliance has been placed on some abstract notion of justice, by reference to which it has been argued that the convictions of the Guildford Four were clearly wrong and should never have occurred. Such reliance is impractical. Without any defining criteria, my personal view of what is just may well differ from that of lay commentators or the producers of media programmes."

Crude, untrained minds (defined by Sir John as "the public understanding") often jump to simplistic conclusions, for instance that a "miscarriage of justice occurs in case in which an innocent person has been convicted." He thinks this is "too limiting". As far as he is concerned, a miscarriage of justice can occur when the result of a criminal case might have been different if "a specific failing in the criminal justice system had not occurred."

The case of the Guildford Four, his huge report concludes, was a miscarriage of justice on his definition — "specific failings" by police and prosecutors. But that doesn't mean the Four are innocent. Even if they were guilty, he argues, they should have been released — though this would be what most people would define as a miscarriage of justice.

A good example of what Sir John defines as the "too limiting" approach can be found in this extract from another report to the Commons in 1992: "I have reached the conclusion that the Maguire Seven were the victims of a serious miscarriage of justice." The Maguire Seven's peaceful and law-abiding family, were arrested on "evidence" extracted by oppressive interrogation of one of the Guildford Four. They were convicted of storing bombs and explosives which were never found because they never existed. The only evidence were swabs taken from their hands, said to prove that they had been in contact with nitroglycerine.

The 1992 report makes it shockingly clear that the scientific evidence was utterly unreliable. It concludes that if the government law officers and prosecution lawyers had listened to the advice of Roger Maitland, a courageous and unsung lawyer in the Attorney General's office, who denounced the prosecution from the outset, the case would never have reached the courts. No one can read that report without concluding that its author was firmly convinced that the Maguire family had been — to employ the reckless language of the public understanding — fitted up for something they didn't do.

I expect you've guessed that the author of the 1992 report was the Rt Hon Sir John May. How to explain the difference between the two reports — the first (212, 10, 94 pages) incisive, clear, at times even angry; the second (200, 50, 308 pages, plus unnecessary appendices) rambling, vague, complacent?

Until the Guildford Four were released in October, 1989,

the received view about the likelihood of the wrong people being convicted in a murder case had been laid down by Lord Kilmuir, Lord Chancellor, 30 years before. He thought it "in the realms of fantasy" that a British Judge, Court of Appeal, House of Lords and Home Secretary could condemn the wrong person for murder.

The Guildford case broke the dam. Month after month, wrongful convictions were set aside: the Birmingham Six, the Broadwater Three, the Cardiff Three, the Swansea Two, the East Ham Two, Judy Ward, Stefan Kiszk, the Taylor sisters, Eddie Browning. All had been convicted of murder, and all were, in the proper sense, victims of miscarriages of justice — they didn't do it.

For a time, it seemed that even the judiciary was motivated by a sense of shame and a desire to put things right. This was the spirit of the devastating "conviction by ambush" judgment of the Court of Appeal in the Judy Ward case, the public hearings into the Maguire case, and the setting up of a royal commission on criminal justice after the Birmingham case. Gradually, however, the judicial and political establishment recovered its former arrogance and fought back. So arrogant, not a single person has been punished for these injustices.

Though the royal commission refused to recommend an end to a prisoner's right to silence, and insisted on an independent commission to investigate alleged injustices, the Home Secretary's Criminal Justice Bill abolished the right to silence, and introduces other measures guaranteed to lead to even more injustices. If and when there ever is an injustice commission, it will not have what was demanded of it in 1992 by one of its members, Sir John May — "independent machinery to carry out all those investigations and inquiries which the circumstances of a given case may require."

The only thing we know for certain about any such commission is that its investigations will be carried out by the same police whose inquiries led to the alleged injustices.

**C**RUCIAL to this counter-attack has been the "whispering campaign" against the released prisoners. Perhaps, it is muttered everywhere from the offices of the Sun to the High Court, the freed prisoners were guilty after all. Perhaps the "technical errors" which led to their release can be put right. This campaign started in the press, where it was cut down by a series of expensive libel actions.

Sir John May insists it must stop — and then does nothing to stop it. He publishes reams of untested and untestable "intelligence", hostile to two of the Guildford Four, from one of the most unreliable intelligence sources in the world — MI5 in Northern Ireland. At the end of his report, he prints the "confessions" of the Four, which he admits were obtained by intimidation and violence.

In case anyone outside the police, the judiciary and a servile press doubts it, I repeat: none of the Guildford Four or the Birmingham Six bombed any pubs. All were entirely, and demonstrably, innocent of the murders for which they were convicted. So were the Cardiff Three, Sam Kulasingham and Prem Sivalingham, the Darvell brothers in Swansea, Engin Raghip, Mark Braithwaite and Winston Silcott in Tottenham, Judy Ward, Stefan Kiszk, Lisa and Michelle Taylor, and Eddie Browning.

The dreadful and inhuman treatment of all these people continues as an affront to the very word "justice", and is compounded by the weasel reaction of the political and judicial authorities, of which Sir John May's report is the most recent example.

GUARDIAN

4.7.94

# Police damages for attack victim

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Duncan Campbell  
Crime Correspondent

**A** MAN beaten up by off-duty police officers in a pub nearly seven years ago was yesterday awarded £10,000 in damages against the Commissioner of the Metropolitan Police. All seven officers have since been sacked.

Gary Stretch, aged 30, was with a group of friends in the Limes pub in Hackney Road, east London, on Guy Fawkes day in 1987. A group of seven off-duty officers based at City Road (now Shoreditch) police station were also drinking there and one of them, PC Paul Wells, told one of Mr Stretch's friends that there would be trouble if Mr Stretch stayed in the pub. Mr Stretch was unaware of the threat.

There followed a "violent and unprovoked assault" on Mr Stretch, his counsel, Nicholas Blake, QC, told the High Court yesterday.

The attack was initiated by Paul Caddy, Alan Barr and Simon Haw, with the involvement of Paul Wells, Peter Clissold, David Thompson and Carl Simon, Mr Justice Scott Baker was told in an agreed statement.

Mr Stretch, of Hoxton, east London, was struck on the head

with a sharp object, punched and kicked, held in a headlock while his head was banged against a door frame or wall, and had a knee put across his throat.

His injuries included a subconjunctival haemorrhage of the right eye, severe lacerations of the left ear requiring sutures and extensive injuries to his neck, head, back, ankle and shoulder. He was in hospital for almost a week.

The defendants claimed falsely that Mr Stretch had attempted to attack them with a knife.

Mr Stretch filed a complaint against the officers to the Police Complaints Authority. All seven officers were sacked, reinstated on appeal but the appeal decision was overturned in 1992 by the then Home Secretary, Kenneth Clarke, and the sackings were confirmed.

Mr Stretch subsequently sued the officers for damages for assault, battery and false imprisonment. No officers faced criminal charges.

In the agreed statement, it was stated that the defendants denied the serious allegations made by Mr Stretch. The commissioner, Mr Caddy, Mr Barr and Mr Haw agreed to pay a total of £10,000 in settlement.

The claim against PCs Wells, Clissold and Thompson was discontinued. Judgment against PC Simon was entered in default of defence but he was not involved in yesterday's hearing.

Outside the court, Mr Stretch, who is now unemployed, said: "I don't think I'll ever get over it. This has gone on for years now, with all the red tape and everything. I just want to get on with my life."

A spokesman for the Hackney Community Defence Association, which supported his case, said that the attack on Mr Stretch had cost the Metropolitan Police around £1 million in legal costs and wages while the officers were suspended for three years.

A police spokeswoman said that no liability had been accepted.



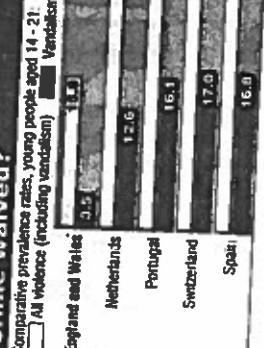
Gary Stretch... beaten up by off-duty officers

# Unpublished study shows fewer youth crimes

Juvenile offences lower than many countries in Western Europe

The rate of juvenile delinquency in Britain is clearly lower than in other Western European countries, according to one of eight controversial Home Office research studies for which no publication date has been set. The international study on youth and crime, co-ordinated by the Dutch Ministry of Justice, is based on interviews with young people in 15 western countries. It includes five national studies in the Netherlands, Spain, Portugal, Switzerland and England, the latter being carried out by the Home Office. The Guardian yesterday obtained a copy of the report's conclusions from the Dutch Ministry of Justice. The full report, including the detailed British research, is to be published in Holland this month. No date has been set for the Home Office material to be published in Britain. The department said yesterday they hoped it would be published this year. The disclosure of the figures follows allegations in Whitehall that ministers are shunning drug use is mainly restricted to four of the indigenous youth

## Crime waived?



population with that of minority populations." They say that most "self-report" studies which are based on interviews with young people indicate that blacks have a lower offending rate than whites.

On a wider front, the study of 13 countries concludes that according to their own reports, some 50 to 90 per cent of young people between the ages of 14 and 21 have committed one or more offences at some time. More than half of them commit less than half of them committing offences during 1992.

The most frequently occurring offences are "vandalism, fare-dodging, feathering, driving without a licence or insurance, fighting involved in group fights and violation of public order, carrying weapons (mostly knives) and using soft drugs."

The survey also showed that the use of soft drugs appeared not to have penetrated southern European society to the same degree as the more northern countries, while the difference between boys' and girls' drug use was the lowest.

It also suggests that, contrary to the over-representation in official police statistics of young black offenders, the English research showed that there was either no difference or lower offending rates for ethnic minorities with their white counterparts in property crimes or violent offences.

"The English study found one drug user in four among white youth, one in eight amongst black and one in 12 amongst white youth, one in eight amongst ethnic minorities with their white counterparts in property crimes or violent offences."

On drugs, the report says:

"The data suggest that England and Switzerland have relatively more drug use among young people than Holland, Spain and Portugal. In all five countries drug use is mainly restricted to

## Minister queried qualifications of refugees investigators

**T**HE Immigration Minister, Charles Wardle, reacted to an official research report which portrayed a positive picture of refugees living in Britain by questioning the qualifications of the interpreters involved in the interviews and asking how they had been selected and trained.

The research project, based on interviews with 263 refugees given leave to live in Britain, is research report arising from the programme of the Home Office Research Unit has been suppressed or shelved.

He said: "The minister involved raised a number of questions about the methodology of the research. He considered that there were flaws in the methodology which could reinforce the conclusions unquestionably wrong."

The Home Office confirmed yesterday that the level of ministerial intervention in the work of the internationally renowned Home Office Research and Planning Unit led to a call last night by Labour MP for Hornsey, Barbara Roche, for the Commons Select Committee on Home Affairs to agree to launch an official inquiry today.

The Home Office's director of research and statistics, Christopher Nutall, yesterday wrote

Letters, page 23

put at risk the tradition of community-based policing in Britain. But Mr Howard said there were limits to what the police could achieve on their own and he was increasingly looking for ways in which the private security industry could co-operate with the police. He said that as part of that process tenders for contracts over the prison escort services to private companies to take over the prison escort services in East Anglia, Merseyside and North Wales and that North would be fasted later this month.

Group 4 runs the service in the East Midlands and Securicor last week took over the police and prison services in London.

Mr Howard also said private companies would be responsible for escorting prisoners suffering mental disorders to hospitals and guarding prisoners who have to go from prison to hospital for medical treatment.

The Home Secretary rejected demands from the British Security Industry Association for a statutory licensing system of private security companies.

He said the level of offending by private security staff was not substantial enough to warrant such a system of state regulation.

## Howard pledges more work for prison escort firms

**H**IS Home Secretary, Michael Howard, yesterday announced a large-scale extension of the involvement of private security firms in escorting prisoners.

He promised companies involved that his current review of police functions would lead to increased opportunities for them.

Mr Howard told the annual lunch of the British Security Industry Association that the Home Office review of the core functions of the police would "enable the police to withdraw from peripheral tasks in order to concentrate on tasks that really matter to the public."

As the Home Secretary was speaking in London, the Association of Chief Police Officers launched a fresh warning that the Government's review could end in the police being forced to withdraw from the vital social services role which the public value so much.

Sir John Smith, the association's president, said he believed the Home Office review was being led by considerations of cost. He warned that it could

receive the specialist attention and training they need.

In the Lords, Lord Carr voiced his "extreme distaste of putting 12 to 14-year-olds into custody," but insisted the amendment would not weaken the bill.

"The amendment will not alter in any way the nature of the proposed secure training centre," he said. "What we are proposing is not in any way a soft option."

The Government wants up to five purpose-built secure training centres, each with 40 places, established for 300 persistent young offenders.

Home Office minister Earl Ferrers, said the amendments would undermine the bill and throw planning of the secure training centres into chaos.

"It would be thrown into complete confusion if some offenders were to be admitted to secure accommodation instead. It would be a most ineffective and uneconomic use of public funds and the importance of a secure training centre would undoubtedly be dissipated if we did this," he said. Tony Blair, shadow home secretary, said: "It is a devastating defeat for the Government and a resounding victory for common sense."

"Everyone agrees that there is a category of juvenile offender that should be in secure accommodation, but there is no reason other than dogma why it should not be in the secure accommodation that exists now."

The real problem there has been over the past few years is an absence of a sufficient number of places in local authority secure accommodation. The Government could tackle juvenile offending now if it was prepared to accede to these proposals."

Mary Honeyball, general secretary of the Association of Chief Officers of Probation, said: "I would like to see the widest possible forum including probation services, police, social services, teachers and parents given the chance to work with the Government to come up with a more workable solution."

Fewer youth crimes, page 2

# New setback for Howard on justice bill

Stephen Bates  
and Michael White

**T**HE Government's centrepiece criminal justice bill suffered a further humiliating setback last night when peers, led by a former Conservative home secretary, imposed two new modifications on the troubled legislation.

As the debate

went into doubt hopes of an early summer recess after ministers and Tory loyalists promised to reverse the vote when the bill returns to the Commons. The amendments will probably delay the legislation's passage until the autumn.

The peers' vote centred on Government plans for privately run secure training centres for persistent offenders aged 12-14. Peers backed changes to the Criminal Justice and Public Order Bill which would give magistrates discretion to send persistent young offenders to local authority secure units rather than the new institutions.

An amendment by Lord Carr, a former home secretary, that courts should be free to sentence such offenders to local authority secure accommodation was passed by 170 votes to 139.

A second amendment, allowing magistrates to switch between the two types of centre by sending young offenders who behave well in a secure training centre to complete their sentences in local authority care, and those who behave badly in local authority care to complete their sentences in a secure training centre, was backed by 147 votes to 128.

The defeats were the latest in a series of setbacks in the passage of the 27-point law and order package unveiled at last autumn's Conservative conference. Mr Howard's standing has been severely damaged in the process.

The Home Office said it would not let the matter rest. "The Government's position remains that all of those subject to the secure training order should spend the whole of the secure part of their orders in purpose-built centres dedicated to tackling this behaviour and

research and statistics, Christopher Nutall, yesterday wrote

## Appeal Court frees man due to 'tainted' evidence from police

Duncan Campbell  
Crime Correspondent

**A** MAN jailed for 11 years for conspiracy to rob and possess a firearm was freed yesterday after the Court of Appeal heard that an officer who gave evidence at his trial was involved in an investigation into alleged police corruption.

The case represented the twelfth successful appeal brought by people arrested by officers from Stoke Newington police station in north-east London. An investigation, code-named Operation Jackpot, was launched into allegations of corruption at the station in April 1991.

Lord Justice Henry said it was "a matter of regret that this appellant was convicted on evidence that was tainted".

After his release Mr Winship said: "Justice has been done. I've served three years for something I didn't do."

A spokesman for the Hackney Community Defence Association, which took up Mr Winship's case, called on the Crown Prosecution Service to take action on Operation Jackpot's findings. The Police Complaints Authority delivered its report on the station in February. Mr Winship's case did not form part of the inquiry.

One officer has been jailed,

three others have been suspended, and eight were moved from Stoke Newington following the inception of the inquiry.

# New retreat on justice bill

Alan Travis  
Home Affairs Editor

**M**ICHAEL Howard, the Home Secretary, yesterday announced a new climbdown on his plans to abolish the unprejudicial right to silence in an attempt to avoid yet another humiliating defeat in the House of Lords today over his law and order legislation.

His concession came as he tried to allay fears of chief constables that there is no hidden agenda of wholesale privatisation of some of their duties.

Mr Howard confirmed the Criminal Justice and Public Order Bill will be delayed until October to give time to reverse a series of defeats in the Lords. "Royal Assent before the summer recess has never been an absolute requirement," he said.

The announcement yesterday angered Tory MPs who had expected the police to use their new powers to launch high profile operations against new age travellers, road protesters, hunt saboteurs and all-night raves this summer.

The decision is also likely to tarnish Mr Howard's party conference speech at the beginning of October.

Last year when he promised the party his 27-point law and order package, Lord Archer challenged him to "stand and deliver". He was hoping to announce in Brighton this year that he had implemented all 27 points.

Lady Olga Maitland, the Conservative MP for Sutton and Cheam, said: "This is a major disappointment. The Commons should sit longer now to deal with this rather than wait until October.

"People are having a hideous time in some areas and the public has a right to expect proper action to be taken now."

Mr Howard yesterday attempted to head off a further Lords revolt over the law and order bill following the defeats inflicted over secure training centres and the criminal injuries compensation scheme.

He has tabled amendments to be debated today which will restrict the conditions under which a suspect's refusal to answer police questions can be used to infer guilt. He said that under the redrawn plans police officers will have officially to caution the suspect before their failure to give an explanation of their actions can be used against them.

Mr Howard's concession meets concerns raised by the Lord Chief Justice, Lord Taylor, that while there were cases where a suspect's silence was significant, it was more important that he was cautioned first that his silence would count against him.

A spokesman for the Association of Chief Police Officers said yesterday the concession would mean that many more suspects would be cautioned about their rights.

But the concession does not meet the demands for more wide-ranging safeguards which will be pressed today by a powerful all-party coalition led by the chairman of the Royal Commission on Criminal Justice, Lord Runciman.

Lord Taylor last night urged the Government not to backtrack on plans to include a new miscarriages of justice review body in the bill.

He was responding to a *Guardian* report last Friday that the key reform promised by Mr Howard in response to the Guildford Four and Birmingham Six cases, may be delayed a further year. Lord Taylor is known to feel that the independent review authority must be set up as soon as possible to restore public confidence in the criminal justice system.

GUARDIAN

7-7-94

Drug-related crime forcing issue in 'wild' inner-cities

# Armed patrols loom, says police chief

Alan Travis  
Home Affairs Editor

**A**RMED police will soon be routinely patrolling Britain's most violent inner-city areas if drug-related violence continues to rise, Jim Sharples, the Chief Constable of Merseyside, predicted yesterday.

Mr Sharples, the outgoing chairman of the Association of Chief Police Officers' committee on the police use of firearms, said public debate was essential to avoid the danger of an armed police service developing by stealth. "If we decide to arm the police it is probably an irreversible decision," he told the Acpo summer conference in Bournemouth.

Mr Sharples said police no longer just encountered armed professional criminals, but also armed young hooligans who held up the corner off-licence, and armed drug dealers seeking to protect their territory.

"If the situation on the inner-city streets gets wilder we can anticipate that as a matter of routine officers will face armed criminals — then as a matter of routine we will have to arm them," he said. Mr Sharples said in areas such as Moss Side in Manchester, and Brixton and Shepherd's Bush in London, routine armed patrols by officers who were not members of

the specialist armed response vehicle units were likely sooner rather than later.

His warning came as two further steps towards the general arming of Britain's police officers were announced by Acpo. New guidelines from the association recommend that in future the decision to issue guns to non-specialist police officers will no longer need to be taken by a senior officer of assistant chief constable rank and above but could be in some circumstances be taken by an officer as junior as a sergeant.

The move is designed to speed up the police response to situations in which there is a threat to life. It is already happening in South Yorkshire and the rest of Britain's 43 provincial police forces are expected to adopt the new guidance.

The forces are also now expected to follow the lead given by the Metropolitan Police two months ago in allowing their specialist firearms officers, who staff the limited number of armed response vehicles, to be overtly armed on general patrol. At present the firearms are kept locked in a box at the back of the vehicle until needed.

The Home Office said yesterday Acpo did not need ministerial approval for the changes, but they had been agreed after consulting officials. Alun Michael, Labour home affairs spokesman, reacted to the Acpo

decision by accusing the Home Secretary, Michael Howard, of being reluctant to enter into a public debate over how to tackle the growing drugs-related violence in Britain. He said Mr Howard failed to increase the penalties for possession and carrying of firearms until Labour pressed the issue.

"We have to attack the environment of drugs-related violence," said Mr Michael. "We are being driven by events further and further down the road of arming the police."

● There has been a 40 per cent drop in the number of armed robberies on security vehicles, banks, building societies, jewelers, post offices and betting shops in the London area, the Metropolitan Police announced yesterday, writes *Duncan Campbell*. The Flying Squad has investigated 351 armed robberies during the first six months of this year, compared with 590 last year. Betting shop raids were down by 55 per cent, raids on banks by 36 per cent, post office raids by 23 per cent and armed robberies on security vehicles by 20 per cent.

GUARDIAN 8-7-94

£10,000 FOR MAN BEATEN UP BY OFF-DUTY POLICE – BUT HE SAYS:

# 'This isn't justice'

A MAN beaten up by seven off-duty police officers in a Hackney pub seven years ago was awarded £10,000 in damages by the Metropolitan Police this week.

But victim Gary Stretch, 30, from Hoxton's Cranston Estate, stormed: "I shouldn't have had to take civil proceedings to get justice."

If the attack had been carried out by anybody else, they would have stood trial on criminal charges and faced a jail sentence and I would have been entitled to claim compensation from the Criminal Injuries Board."

He was in the Limes pub in Hackney Road with friends on Guy Fawkes night in 1987 when a brawl broke out with the group of off-duty officers from City Road (now Shoreditch) police station.

Gary was temporarily blinded and left with half his ear hanging off after he was glassed and beaten unconscious.

He was so badly injured he spent almost a week in hospital under police arrest and two-and-a-half years off work sick.

by RUSS LAWRENCE

In the High Court on Monday, the Metropolitan Police agreed to pay damages, although no liability was accepted.

The court heard how the "violent and unprovoked assault" had been initiated by former PCs Paul Caddy, Alan Barr and Simon Haw, with the involvement of Paul Wells, Peter Clissold, David Thompson and Carl Simon.

They were sacked following a Police Complaints Authority investigation in 1990 and reinstated on appeal. But the appeal was overturned in 1992 by the then Home Secretary, Kenneth Clarke, and the sackings confirmed.

The Director of Public

Prosecutions decided at the time there was insufficient evidence for the seven to stand trial on criminal charges.

In an agreed statement to the High Court on Monday, the police denied the serious allegations. The Commissioner, Mr Caddy, Mr Barr and Mr Haw agreed to pay Gary Stretch a total of £10,000 in settlement.

The claim against PCs Wells, Clissold and Thompson was discontinued.

Judgement against Pc Simon was entered in default of defence. He was not involved in the hearing.



•Gary Stretch pictured in 1987 soon after the attack.

8.7.94

HACKNEY GAZETTE

# Mobile phone thefts reach 15,000 a month as dealers trade in growing black market

Owen Bowcott on why cellular handsets have become 'the fashionable thing to nick'

**M**OBILE phones are the latest black market currency, according to the industry; delivery lorries have been hijacked, pedestrians mugged and drivers robbed in traffic jams. In some inner-city cellular handsets can be exchanged for drugs.

Defeated by improved security on car radios and a glut in the market for second-hand video recorders, thieves are turning to phones, office computers, scarce microchips and satellite television encryption cards.

The scale of the problem has been highlighted by figures from the Federation of Communication Services, the body representing the main mobile phone operators. In the first half of this year, the federation claims, thefts of handsets increased from 10,000 to 15,000 a month.

"Mobile phones are the fashionable thing to nick," a spokesman for Scotland Yard said yesterday. "The black market in stolen video recorders has peaked."

Alarmed by monthly losses estimated at £4.5 million, the industry is pressing the Government for action and manufacturers have called for "re-chipping" to be made a crime. Re-chipping involves replacing or reprogramming the electronic serial numbers (ESNs) for each phone. Giving a previously unallocated number to a stolen mobile makes it almost impossible to track down.

"I don't think we are getting the support that we really need from the Home Office and the Department of Trade and Industry," David Savage of the federation said. "The increase in theft continues because changing the

electronic identity of cellular phones is not unlawful."

The Association of Chief Police Officers believes the industry must first improve its own technology and security, however. "It's no use producing a system which is easy to abuse and then whinging about it," a police source said yesterday.

Detective Constable Colin Weeks, originally based in Fulham, west London, was one of the first officers to notice a mushrooming trade in stolen mobiles. "For a long time the industry refused to believe that anybody could re-chip or clone a mobile phone," Mr Weeks said.

He helped set up Operation Hellweather, which covers the Metropolitan Police area and which has dealt with 800

arrests in the first six months this year. Its success has seen the establishment of other units: Operation Jolst in Hampshire, Cheetah in Birmingham, Water in Greater Manchester and Drama in the Thames Valley.

The profits to be made have rapidly drawn in organised crime and drug dealers, Mr Weeks believes. Early last year gangs began picking on motorists stopped in heavy traffic in west London.

Handed over to a dealer, who might pay £50 for each handset, the reconditioned phones could eventually be sold at a car boot sale or on a street stall for £100. Dealers also receive a commission of several hundred pounds for each customer they sign up to the cellular networks.

## Fall in number of black people held for cannabis offences

Duncan Campbell

**T**HREE has been a large fall in the numbers of black people arrested on cannabis charges in London, according to a report in a drugs journal.

The suggestion that police target black people for drug arrests is not borne out by the facts, it says.

The report, by Detective Sergeant Geoffrey Monaghan, of the Metropolitan Police, appears in the latest edition of Drug Link, journal of the Institute for the Study of Drug Dependency.

It points out that in the last three-year period for which figures were available, there had been a drop of 31 per cent in the numbers of black people arrested for cannabis offences.

The proportion of black people charged had dropped in this period from 68 per cent to 44 per cent. This had been matched by an increase of 24 per cent in the numbers of black people cautioned for cannabis offences.

Cautions do not result in court proceedings or punishments.

Sgt Monaghan says that a

report on the London borough of Southwark provided further evidence against the notion that drug enforcement strategies were racially biased.

The Southwark report concluded: "There is no evidence that the police process a disproportionate number of black people for cannabis offences... the proportion of black people processed for cannabis offences almost mirrors the ethnic make-up of the borough."

In a separate analysis of drug crime, to be published in the International Journal of Drug Policy later this month, it is argued that members of racial minority groups are more likely to be given the dangerous tasks in the drug dealing business.

Dr Vincenzo Ruggiero, of Middlesex University's social sciences faculty, writes: "In countries with large ethnic minorities, the disadvantages based on race, found within the official labour market, are in a sense reproduced within the criminal labour market.

"Often the most remunerative positions are occupied by indigenous groups, whereas the most poorly paid and dangerous tasks are entrusted to minorities."

GUARDIAN 9.2.94

# Top police declare war on Whitehall

Exclusive

David Rose  
Home Affairs Correspondent

BRITAIN'S most senior police officers are in unprecedented open conflict with the Home Office. Chief constables say that they no longer trust Ministers or civil servants and that the police face privatisation by stealth.

At the heart of their concerns is the Home Office 'review of police core and ancillary tasks'. This is aimed at making the police more efficient by identifying 'ancillary' jobs that could be divested, possibly to private firms.

The chief constables have been asked in questionnaires to categorise 95 police tasks, from hunting terrorists to visiting schools. It is understood that the review has already identified 36 tasks as 'ancillary'. These include many jobs which bring police into peaceful contact with the public, playing a vital role in community relations and intelligence gathering.

Top officers have told *The Observer* they believe the review is a prelude to widespread privatisation. In an *Observer* survey of a quarter of the country's constabularies, they said fundamental principles of British policing were in jeopardy and the obsession of Home Secretary Michael Howard with crime figures threatened to end community involvement and 'policing by consent'.

At last week's conference of the Association of Chief Police Officers (Acpo) in Bournemouth, Mr Howard denied this, although the previous night he had promised the British Security Industry Association that the review would create 'increased opportunities for the private security sector'.

The root-and-branch public attack by the chief constables, who say they have no confidence in the Home Office, will dismay Ministers. There is deep anger at the methods adopted by the review. It is sitting in secret, with-

out a co-opted police expert, and is already committed to 'implementation' of the policy of hiving off ancillary functions. Although the review has set up a discussion group with police, this merely considers its findings after they have been made, rather than helping to set the agenda.

The police believe they will lose resources for every job taken away, a precedent already set by privatisation of prisoner escort, which has cost the Metropolitan Police 271 constables. At the same time, centrally imposed performance targets will further curb their flexibility.

John Newing, Derbyshire's Chief Constable, told *The Observer*: 'We need a Royal Commission. There has to be a proper debate. It is totally inappropriate and quite wrong to give such a job to a civil servant... There is a feeling among chief officers that there is a hidden agenda, a great deal of suspicion about everything the Home Office does... and also a feeling that the Home Office is not competent.'

Richard Wells, Chief Constable of South Yorkshire, said: 'I see all the antecedent action which in other public services — health and education — has led to privatisation. Once you start identifying and costing core functions, that has led to privatisation. We ask the Home Office: "Please tell us what is different this time. Why should we be different to health?" And we get back: "Privatisation is not on the agenda." So we are mistrustful, and we don't know whose agenda this is.'

Sir John Smith, president of Acpo and the Metropolitan Deputy Commissioner, said: 'It's difficult to accept the review isn't predetermined.'

David Shattock, Chief Constable of Avon and Somerset, said: 'I care about the service... If that means being adversarial with politicians, so be it.'

**Chiefs speak out, page 2**  
**Leader comment, page 24**

OBERVER

10-7-94

# Rebel police chiefs defy Home Office

THE HOME Office review of the police threatens fundamental damage to British policing traditions, top officers have told David Rose in a series of exclusive interviews. They fear that the review, which is trying to classify police tasks as 'core' or 'ancillary', is a prelude to privatisation, which could sever ties between police and community. They say the review, being held in secret, raises questions of profound importance to democracy, and should be conducted with wide public debate through a Royal Commission.

**John Newing, Chief Constable of Derbyshire:** 'We need a Royal Commission. There has to be a proper debate. It is totally inappropriate to give such a job to a civil servant, and to conduct it in such a way that there is little public debate or interest.'

'There is a need to divest ourselves of some peripheral activities, escorting of large loads, or dealing with stray dogs, for example. There is a feeling among chief officers that there is a hidden agenda, a great deal of suspicion about everything the Home Office does ... and also a feeling that the Home Office is not competent.'

'Some of the concepts which have been driven into the NHS are being driven into the police. You cannot treat every public service exactly in the same way as a private sector company.'

**Richard Wells, Chief Constable of South Yorkshire:** 'What I see is all the antecedent action which in other public services — health and education — has led to privatisation. Once you start identifying and costing core functions, that has led to privatisation. We ask the Home Office: "Please tell us what is different this time. Why should we be different to health?" And we get back: "Privatisation is not on the agenda." So we are mistrustful. "We are really concerned about the relationship between Ministers and civil servants. For exam-

ple, I've been on a Home Office working party looking at complaints and discipline. Suddenly, when we had three big meetings to go, the Home Secretary made an off-the-cuff, pre-empting statement at the Superintendents' Association conference. How do we consult, give valuable advice — only to see it disregarded?

'They keep reassuring us there is no hidden agenda. But when you see consultation thrown to the winds, you wonder whether there is any belief in consultation.'

**John Tecwyn-Owen, Acting Chief Constable of North Wales:** 'I am cynical about the Home Office's aims. If you privatisate, means you do it cheaper, and the public will lose out. If we are left with the functions which the Home Office sees as important, we will be left dealing with the public only in situations of conflict.'

**Paul Whitehouse, Chief Constable of Sussex:** 'It seems to be a complete shift with little research, based on the premise you can hive off subsidiary activities without cutting to the bone. This week Michael Howard told the British Security Industry Association that it could rest assured, there was more work coming its members' way. Yes, you can cut off the patient's leg, but he will fall over.'



Keith Hellawell: 'The public want us in the social sense, not the enforcement sense.' /Photograph by Asadour Guzelian.

**Tony Butler, Chief Constable of Gloucestershire:** 'We are being pushed into becoming purely a law-enforcement body. That would lose sight of the fact that we can use our authority in law-enforcement because citizens respect it — because last week we helped an old lady get into her flat when she'd locked herself out, or brought home a little girl.'

'David Bailey [the internationally-distinguished academic] has just published a comparative survey of policing in Britain, the USA, Canada and Japan, and he puts it very well. He says most policing is about sorting out the

begrimed reality of the lives of people who have no one else to take their problems to. Patient listening and gentle counselling are what most patrol officers do.'

'That is what policing a democratic society is about. Then you turn to the Home Office and you say, "Well, how are you going to reflect that in your review?" And they say, "Oh, it's easy, we identified 95 tasks the police do: 19 of them are mixed and 36 of them are supposedly ancillary".'

'What do they mean by ancillary? There's a notion you can measure the time police spend on things which are not law enforcement, and give that to someone

else [to do]. If you do that, you approach to the most people-oriented business there.'

'I appreciate that budgets are not infinite. But even the biggest profit-oriented multinationals goes out and tries out ideas for major change on its consumers. I have become political with a small 'p'. I don't care what colour the Government is. But I care about the service, I care about the consumer. If that means being adversarial with politicians, so be it. We can't sit down and be rolled over.'

**Charles Pollard, Chief Constable of Thames Valley:** 'We can't take the Home Office at face value, if only because they don't hold all the strings — the Treasury does. The review could change the whole face of policing, without the public being aware. It's ironic that at the very time more and more countries are taking a look at our policing, because it's perceived to be the best, there are policies in train which could change the very things which make us unique.'

**David Shattock, Chief Constable of Avon and Somerset:** 'The stark reality is: we've already been given the verdict, and now they're trying to fill in the facts. The review is accountancy-driven, with a very mechanistic

approach to the most people-oriented business there.'

**John Hoddinott, Chief Constable of Hampshire, vice-president of Acpol:** 'The problem is a question of belief whether this is an open-ended, objective look at what the police do. We are not convinced of that ... We are concerned at the method and purpose of the review.'

**Keith Hellawell, Chief Constable of West Yorkshire:** 'There are things we do we can get rid of, and there are services

we could charge for. But over the last 10 years the gap between demands and resources has grown, and some unscrupulous commentators, including politicians, have blamed the police.'

'Every... survey shows the public want more of us, in the social sense, not the enforcement sense. People in the community need people who reassure them. That has a knock-on effect on enforcement — people will whisper things in the ear of a bobby they know which they would never say to strangers who arrive in a patrol car.'

**Sir John Smith, Deputy Commissioner of the Metropolitan Police, president of Acpol:** 'We are unsure what is going to occur in the future. We find it very difficult to accept at face value what we are told. I was told it would last nine months, in three stages, and the last would be "the implementation plan", placing some of our responsibilities with other bodies. It seemed as if the conclusions were already set.'

The background noise was the Government saying it had lavished money on the police and we hadn't delivered, because of the rise in reported crime. The fact is, our productivity — the number of crimes solved per officer — has risen dramatically. But surely change of this kind can't be a simple, political response to worries about the rise in crime? If so, it must now be very disconcerting for the Home Secretary... crime is falling without any of his 27 measures having reached the statute book — the result is already coming about, as if by magic.'

**Timothy Brain, Assistant Chief Constable of the West Midlands:** 'It's a review taking place in the corridors of power. It's a group of civil servants who have sent out a questionnaire. That's not a full and open debate on the nature of policing. If we lose the community aspects, we lose the vital concept of policing by consent. We would be going down the road followed by some continental and US police forces, hard-core reactive policing — which produced the consequences we saw three years ago in the Los Angeles riots.'

# Police draw up duties to discard

Alan Travis  
Home Affairs Editor

**B**RITAIN'S most senior police officers have drawn up a secret list of 37 "ancillary tasks" as candidates for transfer to other agencies and possibly to private security companies. It includes fingerprint and DNA forensic work, summonsing defendants, warning witnesses, executing warrants and disclosing criminal records.

The "provisional" list, with a further 19 "outer core" tasks among which there is scope for contracting out, form the initial joint response by the Association of Chief Police Officers and Her Majesty's Inspectorate of Constabulary to the Home Office review of "core" police functions.

Michael Howard, the Home Secretary, said last week the aim of the review is to "enable the police to withdraw from peripheral tasks in order to concentrate on tasks that really matter to the public". It would "result in increased opportunities for the private security sector".

Chief constables have publicly launched a root-and-branch attack on the Home Office review, raising fears that it is a cost-driven exercise which could end in the police being "forced to withdraw from the vital social services role which the public value so much".

The review team which started work last December has already held detailed discussions on which police duties might be dropped altogether or transferred to other agencies. The list identified by the association and inspectorate has been used as the starting point. It includes such duties as escorting wide loads, impounding stray dogs, dealing with lost and found property, enforcing litter and animal diseases legislation, parking law enforcement and a host of licensing duties including taxis, sex shops, betting shops, billiard halls, scrap metal dealers and late night cafes.

Further review team meetings will look at duties such as forensic work, executing warrants, carrying out deportations, summonsing defendants, managing the national criminal record system and coroner's office duties.

But the review is also reappraising the role of the police more fundamentally. A further 19 tasks have been identified as "services which should be managed by the police service, but the method of delivery can be flexible, involving officers, civilians, specials or contracting out".

They include such duties as tracing missing persons, attending sudden deaths, jailing duties, automated detection of traffic offenders, policing public events, giving crime prevention advice to the community, and firearms and liquor licensing. One source described this group as "those duties the police want to hold on to but might have to give up if pushed".

A report to ministers by Ingrid Posen, the civil servant who heads the Home Office review team, dated June 14 and seen by the *Guardian*, makes clear there will be no public consultation until after final recommendations are put to the Home Secretary next January.

It says: "Ministers will wish to consider at that stage how best to consult the public."

"A mid-term report of the review's findings will come to ministers in September. This will indicate some of the changes which could be made to allow the police to focus more effectively on their main tasks. It is already clear that some further work will be necessary after that date, with a final report in the first week of January 1995."

Mrs Posen made clear at the association's summer conference last week that public consultation was not considered necessary until ministers had considered firm recommendations. "Consultation is more valid and useful when there are real proposals," she said.

Public may have to pay, page 2

GUARDIAN

11-7-94

# Public may have to pay for former police services

Alan Travis reports on worries about plans to transfer 'ancillary' duties

**M**GRID Posen, the civil servant who heads the Home Office team examining tasks the police might relinquish, has said the public could be charged for some current police services as a result of the review.

"In [some] cases an alternative provider may be able to charge, and the task will be self funding," Mrs Posen told the Association of Chief Police Officers summer conference last week.

She said one answer to police fears that they would be left with fewer resources in line with fewer functions would be to leave the net savings with the police when public money funded a cheaper alternative. "That way everyone would win."

Mrs Posen also disclosed that "alternative providers" including private security firms and local authorities will be asked which functions they think the police should lose before there is any formal public consultation.

Last week Sir John Smith, the ACPO president and Deputy Commissioner of the Metropolitan Police, expressed the fears of senior police officers about conducting the review in secret. "We do not want the public to first become aware of these important issues when it is too late to affect the outcomes," he said.

He also warned that the review, far from freeing police resources, could lead to their loss, harming operational capacity and flexibility.

The Home Office has responded to some of the police and local authority complaints about the way the review is being conducted by setting up a Police Tasks Ad Hoc Group to allow discussion of the review team's proposals.

The Home Office decision to split the 95 tasks the police carry out into three groups — inner core, outer core and ancillary — follows a decision to issue a checklist of tasks to each chief constable and ask him to categorise each as core or ancillary. Core tasks are defined as those "involving the exercise of police powers or the potential use of legitimate force which should be delivered by police constables."

But the Association of Metropolitan Authorities and the Association of County Councils have warned that the use of these simple criteria could alienate the public, which has come to expect a wider service from the police.

They argue that private security companies can undercut police costs and must be subject to state regulation if they take over police tasks. Cost should not be the sole criterion.

The councils warn that even the transfer of simple work such as litter enforcement and stray dogs could cause problems. Stopping litter offenders and obtaining information is difficult without powers of arrest, and a police presence is vital if a dangerous dog is to be seized from its owner.

## Redundant tasks for the police?

The 95 tasks identified by the Home Office currently performed by the police have been split into three groups by the Association of Chief Police Officers and Her Majesty's Inspectorate of Constabulary. They are: Inner core tasks; outer core (which should be managed by police but delivery could be contracted out); and ancillary (which do not need management or delivery by the police). They are divided into four headings:



### Bring to justice

#### Ancillary tasks

Forensic work; blood, DNA, finger-print, photographic, other lab analysis; Defendant and witness summons; Warning witnesses; Court results to complainants; Transcribe interviews; Executing warrants; Court security; Court escorts; Immigration and other escorts; Coroner's Office duties.

#### Outer core tasks

Jailing duties; Supervise custody; Complaints procedure; Attending sudden deaths; Court liaison; Automatic detection of traffic offenders; Case update to victims and witnesses.

#### Inner core tasks

Locate suspects/house to house enquiries; General investigation work; Scenes of crime work (but see forensic); Premises searches; Arrest suspects; Interview suspects; Advise or caution suspects; Prepare and pass files to the Crown; Prosecution Service; Acting as witnesses.

### Fight and prevent crime

Criminal record disclosure; Management of National Criminal Record System; Commercial risk analysis; Administration of alarm systems/key holders.

Crime prevention advice to community; Sponsoring crime prevention initiatives; Publicity.

Patrol-foot/bicycle; Patrol-car; Surveillance; Child abuse and domestic violence investigation; Mounting of operations targeting particular crimes or suspects; Crime pattern analysis; Encouragement of intelligence sources; Community liaison; Work with multi-agency partnership groups.

### Uphold the law

Static traffic enforcement, eg parking; Aliens registration; Inspecting chemists' registers; Taxi licensing; Gaming and betting; Lotteries; Late night refreshment houses/night cafes; Sex shops; Scrap metal dealers; Public entertainment licensing; Cinema and theatre; Billiard halls; Street collections; Pedlars.

Policing public events; Firearms; Explosives; Liquor licensing.

National Security and Counter-terrorism work; Prevent and defuse disorders; Riot control; Moving traffic enforcement.

### Protect, help and reassure the community

Escorting wide loads and dangerous substances; Stray dogs; Found property; Inspecting re-registered write-offs; Heavy goods vehicle inspections; Removal and storage of damaged/abandoned vehicles; Diseases of animals; Litter.

Support victims and witnesses; Missing persons; Community and safety education; Local traffic management; Response to automatic alarms.

Respond to 999 and other calls for service; Prepare emergency/contingency plans; Manage and co-ordinate response to emergency/disaster; Public consultation; Protect public figures and places; Front desk; Inquiries; Crime desk/Advice line; Investigate road traffic accidents.

GUARDIAN  
11.7.94

Third defeat in the Lords will delay criminal justice bill

# Howard defeated by peers on gypsy sites

Alan Travis

**T**HE House of Lords delivered a third defeat last night to the Criminal Justice and Public Order Bill by insisting that the Government shelve for five years its plans to remove the obligation on local authorities to provide caravan sites for Gypsies.

The proposal to repeal the 1968 Caravan Sites Act, which places a statutory duty on councils to provide sites for Gypsies, backed by Whitehall grants, is part of Home Secretary Michael Howard's crackdown on new age travellers. The Criminal Justice Bill still contains powers enabling the authorities to direct any unauthorised campers to leave land.

Last night's defeat, by 133 votes to 104 (majority against the Government 29), follows recent setbacks in the Lords for Mr Howard's plans to make cuts to the criminal injuries compensation scheme and to set up new private secure training centres for persistent juvenile offenders.

Ministers are expected to reverse all three defeats when the bill returns to the Commons for its final stages. However the vote means that the Royal Assent for the flagship bill will be delayed from this month until October.

Last night's defeat was led by a coalition of backbench Conservative, Labour and Liberal Democrats, who were backed by the Country Landowner's Association, the National Farmers' Union and the Save the Children Fund.

Lord Stanley of Alderley, the Conservative peer who led the move, argued that the Government should continue to pay the grant to local authorities to set up gypsy sites.

"The problem is that we have not got enough sites or Gypsies and the amendment will give local authorities the time to find these sites."

He said that in a recent court case, a farmer received damages of more than £70,000 from Avon County Council for failing to provide a gypsy caravan site after they camped on his land.

Lord Stanley said similar court decisions would finally force local authorities to act. He also said that a High Court decision by the Lord Chief Justice had made clear that local authorities only had a duty to provide sites for Gypsies and not for new age travellers or hippies.

But the Home Office Minister, Earl Ferrers, appealed to peers not to delay for a further five years. He argued that when the 1968 Act was put in place there were only enough official sites for 10 per cent of the gypsy population. About 70 per cent of

gypsy caravans were now on official local authority or privately operated legal sites, with a further 10 per cent on "tolerated sites".

He said the problem lay in the increasing number of people who had become nomads in recent years, with the number of caravans increasing from 9,800 to 13,700 in the last decade.

"When this number of people have decided to take on this form of lifestyle, it is not reasonable to expect the taxpayer to provide sites for them."

"The grant has continued for 15 years and it is time to bring it to an end. It has not solved the problem and the problem will still be with us in five years time."

Ministers hope to replace the caravan sites that local authorities would have opened with new sites operated either by private operators or bought by the Gypsies themselves and set up with the assistance of the National Gypsy Council. However the grant will no longer be available.

The number of local authority sites has increased from 3,800 in 1981 to 6,370 in 1991.

The bill still retains the powers for local authorities to evict travellers from unauthorised sites: "We expect them to continue a policy of toleration in implementing these powers," said Earl Ferrers.

GUARDIAN 12-7-94

## Male rape recognised in law

Alan Travis  
Home Affairs Editor

**T**HE House of Lords last night created an offence of male rape for the first time in English legal history.

The decision to change the legal definition of rape, without a vote, follows Parliament's decision to lower the age of consent for homosexual men to 18 and marks a further step in homosexual law reform.

Lord Ponsonby, a Labour peer, who led last night's all-party move with government support, said the amendment to the Criminal Justice Bill was the first time English law had recognised the offence of male rape. It would give equal protection to the victims of rape,

male or female, and equality in sentencing of rapists.

The present offence of 'non-consensual buggery of men', which has a maximum sentence of 10 years, will be removed from the Statute Book and replaced by the new rape law. Rape has a maximum sentence of life imprisonment.

Earl Ferrers, Home Office minister, said the Government had decided to drop its initial reluctance to make the move because it acknowledged that "public understanding of what constitutes rape has changed in recent years". It was clear from recent cases in the Court of Appeal that a maximum of 10 years for buggery had inhibited the courts from passing longer sentences for what were also violent assaults.

He said simply raising the penalties for the offence of non-consensual buggery would not be enough. Rape implied a violent assault against the conscious will of the victim.

The Government is to clarify whether the new law will apply in Scotland and Northern Ireland later this month.

The Home Office does not record instances of male rape separately in criminal statistics, but Survivors, a London counselling group, says it received 800 telephone calls last year from victims of such attacks.

Angela Mason, director of Stonewall, the homosexual rights campaign group, said the law change gave public recognition to the problem of male rape.

Law helps male victims, page 2

140

# Rape law helps male victims

Moves to redress the bias in sex laws have been slow to arrive. Clare Dyer reports

THE Government's decision to accept an amendment to the Criminal Justice Bill extending the definition of rape to include male victims is an important step towards equality in an area of the law riddled with gender bias — sexual offences.

A man who penetrates another person anally or vaginally without consent will in future face a maximum life sentence, regardless of the victim's sex. Under present law, buggery of a man without consent carries a 10-year maximum, while rape or buggery of a woman carries a maximum of life.

In the past 10 years, since the rape of men by men was first recognised as a phenomenon, there has been growing awareness that rape is as traumatic for male victims as for female. anything, rapes against men are longer and more brutal than those against women, according to research by Michael

King and Gillian Mezey, London psychiatrists who interviewed 30 male rape victims in the 1980s.

They found that rapes of men, like rapes of women, are motivated more by anger and aggression than sexual desire, and fear of death is uppermost in the victim's mind.

Although male rape has tended to be marginalised as a gay crime, nearly half the victims were heterosexual, as were most assailants. Male victims were even more likely than female to blame themselves and suffer crippling guilt.

But the Appeal Court indicated in a case in 1989 that the difference in maximum sentences meant that non-consensual buggery of a man had to be seen as less serious than rape of a woman, and approved a four-year sentence passed on a prisoner who buggered another inmate. Five years is taken as the starting point for rape of a woman without any aggravating features.

Serial rapists of women should get around 15 years, and exceptionally dangerous rapists life, the Appeal Court has said. But when the victim is male, the ceiling has been 10 years — however vicious the attack or

dangerous the assailant. Campaigners called for a change after a spate of male rapes in 1992, including "queer bashing" gang rapes. Sentences for group rapes of women normally start at eight years, but the 10-year maximum would make this much too high for gang attacks on men.

Male rape is thought to be one of the most under-reported crimes, although numbers have risen as police have become more sympathetic. In 1993, 50 were reported in London, compared with 27 the previous year.

In a 1988 case a male victim, a mentally slow 18-year-old, was infected with the Aids virus — effectively a death sentence. But the Appeal Court upheld a sentence of only six years on his attacker.

In 1985 the Howard League for Penal Reform suggested a radical change in the law on sexual offences, removing all unnecessary distinctions based on the sex of the victim or offender. Rape would disappear as a separate offence, and anal or vaginal penetration by the penis would become assault occasioning grievous bodily harm, with a maximum penalty of life imprisonment, whatever the victim's gender.

## Peace protester held in pit wins £10,000 for wrongful arrest

Clare Dyer  
Legal Correspondent

A CRUISE missile protester who was forcibly detained in a muddy pit by police and armed soldiers 10 years ago has won £10,000 compensation in an out-of-court settlement from the Ministry of Defence and Hampshire police.

Diane McDonald, then living at the Greenham Common women's peace camp in Berkshire, was protesting at the Longmoor ranges in Hampshire against the movement of US Air Force cruise missiles in November 1984.

On several occasions she was arrested at night with others and held for two to three hours in the pit, which was sur-

rounded by barbed wire. Vehicles parked at one end shone their headlights into the pit.

On other occasions she was arrested and detained for at least three hours at Aldershot or Alton police stations. She was never told why.

Her settlement, for wrongful arrest and detention, is the first success for a new panel of law firms which takes cases referred by the civil liberties group Liberty free of charge.

Ms McDonald claimed the actions of the police and military were arbitrary, oppressive and unconstitutional. Her solicitor, Maggie Rae, said: "It was barbaric. Leaving to one side the lawfulness of the detention, the circumstances I think were horrific, and almost designed to terrify."

## Equality award PC sacked

Duncan Campbell  
Crime Correspondent

A POLICEMAN who received an equal opportunities award from the Home Secretary has been sacked for sexually harassing a woman colleague.

PC Philip Headley, aged 32, was dismissed by the Avon and Somerset chief constable, David Shattock, at the weekend.

PC Headley had been found guilty of discreditable conduct at a disciplinary hearing before the Devon and Cornwall chief constable, John Evans. He appeared before his own chief constable for sentencing.

It had been alleged that PC Headley verbally taunted a 28-year-old woman constable. She had to take time off work for stress after the alleged comments.

She complained to senior officers that she was taunted about her sex life by PC Headley, another constable and a sergeant while on duty in a police van in Bristol.

It is understood that no further action is being considered against the other officers.

In April, PC Headley, an inspector and Mr Shattock received an Equal Opportunities award from the Home Secretary, Michael Howard. The award was for a code of conduct

for police officers, the Team Contract, based on an original idea by PC Headley. The guidelines banned touching, dirty jokes, girlie calendars and calling female colleagues "dear".

A spokesman for the Avon and Somerset branch of the Police Federation said an appeal against the sacking was being considered.

Last week, Dr Jennifer Brown, a psychologist employed by Hampshire police's research department, reported that a study of 1,800 female officers found that only one per cent had not heard sexually explicit comments or sexist jokes, and 62 per cent had been touched up.

GUARDIAN

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